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George Bancroft.

1. U.S. President - Messages and papers

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THE

TRUE AMERICAN;

CONTAINING THE

INAUGURAL ADDRESSES,

TOGETHER WITH THE

FIRST ANNUAL ADDRESSES AND MESSAGES

OF ALL THE PRESIDENTS OF THE UNITED STATES, FROM 1789 TO 1839;

THE DECLARATION OF INDEPENDENCE, AND CONSTITUTION OF THE UNITED STATES, WITH THE SIGNERS' NAMES;

ALSO, THE

FAREWELL ADDRESSES OF WASHINGTON AND JACKSON;

AN ADDRESS

TO THE YOUNG MEN OF THE COUNTRY,

AND A

VARIETY OF OTHER MATTER USEFUL AND ENTERTAINING.

BY JOSEPH COE.

CONCORD, N. H.
PUBLISHED BY I. S. BOYD.
1840.

Checked
May 1915

B. A

Entered, according to Act of Congress, in the year 1840,

By Joseph Coe,

In the Clerk's Office of the District Court of New Hampshire.

STEREOTYPED AND PRINTED BY
D. WATSON, CONCORD, N. H.

PREFACE.

THE Editor of this volume deems it proper to say a few words to his readers in explanation of the reasons which led him, after calm and mature deliberation, to give it to the world.

Its publication is principally intended for the benefit of the young men of our common country. They will soon wield the destinies and control the interests of this great nation, and it is very important that their minds should take a right direction, and be governed by right views, right principles, and right feelings concerning our great political interests. The Messages of our Presidents, and the other papers embodied in this book, are thought to be eminently calculated to produce this effect.

Our political institutions were founded by wise men, and are the best, freest, and safest the world has ever seen. Their durability depends upon the watchful care of the people. If they shall ever have to mourn their overthrow, the primary cause will be found in a want of patriotic vigilance. The people must constantly remember that the great foe of American liberty is a wealthy aristocracy. It has been and ever will be, from time to time, the duty of the state and national governments to check, by legal enactments, the influence and power of overgrown moneyed corporations; and it is the solemn duty of the people to protect and sustain them in such enactments.

The great contest that has been waged for many years past, and now divides the people of this

country, is a controversy between the real democracy on the one hand, and an aristocracy of wealth on the other.

That greatest of reformers, Jesus Christ, once said, "By their fruits ye shall know them." He was a true prophet; and acting by the spirit of the future that rested upon him, he selected his followers from the common people, denouncing, with great and just severity, the overbearing propensities of the rich scribes and pharisees. His party was then, is now, and ever will be a perfect party, so far as it follows his precepts, and adheres to his equalizing doctrines.

All other parties are imperfect, and tend to decay. The democratic party, by adhering with a firm and unwavering faith, to its glorious creed, approaches nearly to political perfection, because that creed is identified with universal humanity. Whatever obstacles, therefore, may obstruct its progress ultimately, it cannot fail to triumph throughout the world.

The great cause of freedom, and the necessity of handing down to posterity, unimpaired, the principles and institutions of this mighty Union, should be looked after with the utmost watchfulness by every true American. And in the present political contest, we should look to the great interests involved, interests which reach far beyond any thing merely local or temporary. And in thus doing, they should look beyond the strife and noise of party conflict, to the great end which it is the work of the American people to accomplish.

Durham, Aug. 15, 1840.

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THE

TRUE AMERICAN.

DECLARATION OF INDEPENDENCE.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; and that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments, long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their

right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world :

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these states; for that purpose, obstructing the laws of naturalization of foreigners, refusing to pass others to encourage their migration thither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in time of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined, with others, to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation.

For quartering large bodies of armed troops among us.

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states.

For cutting off our trade with all parts of the world.

For imposing taxes on us without our consent.

For depriving us, in many cases, of the benefit of trial by jury.

For transporting us beyond seas to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms. Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of the attempts, by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which in-

dependent States may of right do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:

JOHN HANCOCK.

New Hampshire.

JOSEPH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay.

SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE,
ELBRIDGE GERRY.

Rhode Island.

STEPHEN HOPKINS,
WILLIAM ELLERY.

Connecticut.

ROGER SHERMAN,
SAMUEL HUNTINGTON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

New York.

WILLIAM FLOYD,
PHILIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

New Jersey.

RICHARD STOCKTON,
JOHN WITHERSPOON,
FRANCIS HOPKINSON,
JOHN HART,
ABRAHAM CLARK.

Pennsylvania.

ROBERT MORRIS,
BENJAMIN RUSH,
BENJAMIN FRANKLIN,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

Delaware.

CÆSAR RODNEY,
GEORGE READ,
THOMAS M'KEAN.

Maryland.

SAMUEL CHASE,
WILLIAM PACA,
THOMAS STONE,
CHARLES CARROLL, of Carrollton.

Virginia.

GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JR.
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

North Carolina.

WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

South Carolina.

EDWARD RUTLEDGE,
THOMAS HEYWARD, JR.
THOMAS LYNCH, JR.,
ARTHUR MIDDLETON.

Georgia.

BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.

CONSTITUTION OF THE UNITED STATES.

WE, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I.

SEC. I.—All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. II.—1. The House of Representatives shall be composed of members chosen every second year, by the people of the several states: and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of the state in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and, excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative: and until such enumeration shall be made, the state of *New Hampshire* shall be entitled to

choose three; *Massachusetts*, eight; *Rhode Island and Providence Plantations*, one; *Connecticut*, five; *New York*, six; *New Jersey*, four; *Pennsylvania*, eight; *Delaware*, one; *Maryland*, six; *Virginia*, ten; *North Carolina*, five; *South Carolina*, five; *Georgia*, three.

4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

SEC. III.—1. The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided, as equally as may be, into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator who shall not have attained the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a president pro tempore in the absence of the Vice President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be

on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two thirds of the members present.

7. Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law.

SEC. IV.—1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each state, by the legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SEC. V.—1. Each house shall be judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SEC. VI.—1. The senators and representatives shall

receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest, during their attendance at the session of their respective houses, and in going to or returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States, shall be a member of either house, during his continuance in office.

SEC. VII.—1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill, which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, and if approved by two thirds of that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for and against the bill, shall be entered on the journals of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless Congress, by their adjournment, prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives

may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. VIII.—The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises; to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States:

2. To borrow money on the credit of the United States:

3. To regulate commerce with foreign nations and among the several states, and with the Indian tribes:

4. To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, throughout the United States:

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the United States:

7. To establish post-offices and post-roads:

8. To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the supreme court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions:

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia, according to the discipline prescribed by Congress:

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings: And,

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SEC. IX.—1. The migration or importation of such persons as any of the states, now existing, shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight: but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.

3. No bill of attainder, or ex post facto law, shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported

from any state. No preference shall be given, by any regulation of commerce or revenue, to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office or title of any kind whatever, from any king, prince, or foreign state.

SEC. X.—1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imports laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress. No state shall, without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SEC. I.—The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, toge-

ther with the Vice-President, chosen for the same term, be elected as follows:

2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [Annulled. See Amendments, art. 12.]

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of President; neither shall any person be eligible to that office, who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive, within that period, any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:—

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

SEC. II.—1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States: he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may, by law, vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. III.—1. He shall, from time to time, give to the Congress information of the state of the union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

SEC. IV.—1. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors

ARTICLE III.

SEC. I.—1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SEC. II.—1. The judicial power shall extend to all cases in law and equity arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state, claiming lands under grants of different states, and between a state, of the citizens thereof, and foreign states, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

SEC. III.—1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or confessions in open court.

2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SEC. I.—1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SEC. II.—1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SEC. III.—1. New states may be admitted by the Congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislature of the states concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

SEC. IV.—1. The United States shall guarantee to every state in this union, a republican form of government, and shall protect each of them against invasion;

and, on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.

ARTICLE V.

1. The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby; any thing in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

1. The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention, by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON,
President, and Deputy from Virginia.

New Hampshire.
JOHN LANGDON,
NICHOLAS GILMAN.

Massachusetts.
NATHANIEL GORHAM,
RUFUS KING.

Connecticut.
WM. SAMUEL JOHNSON,
ROGER SHERMAN.

New York.
ALEXANDER HAMILTON.

New Jersey.
WILLIAM LIVINGSTON,
DAVID BREARLEY,
WILLIAM PATTERSON,
JONATHAN DAYTON.

Pennsylvania.
BENJAMIN FRANKLIN,
THOMAS MIFFLIN,
ROBERT MORRIS,
GEORGE CLYMER,
THOMAS FITZSIMONS,
JARED INGERSOLL,
JAMES WILSON,
GOVERNEUR MORRIS.

Delaware.
GEORGE REED,
GUNNING BEDFORD, JR.
JOHN DICKERSON,
RICHARD BASSETT,
JACOB BROOM.

Maryland.
JAMES M'HENRY,
DANIEL of ST. THO. JENIFER,
DANIEL CARROLL.

Virginia.
JOHN BLAIR,
JAMES MADISON, JR.

North Carolina.
WILLIAM BLOUNT,
RICH. DOBBS SPAIGHT,
HUGH WILLIAMSON.

South Carolina.
JOHN RUTLEDGE,
CHARLES C. PINCKNEY,
CHARLES PINCKNEY,
PIERCE BUTLER.

Georgia.
WILLIAM FEW,
ABRAHAM BALDWIN.

Attest, WILLIAM JACKSON, *Secretary.*

AMENDMENTS TO THE CONSTITUTION.

ART. I.—Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances.

ART. II.—A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ART. III.—No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ART. IV.—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ART. V.—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled, in any criminal case, to be witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

ART. VI.—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory pro-

cess for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

ART. VII.—In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact, tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ART. VIII.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ART. IX.—The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ART. X.—The powers not delegated to the United States by the constitution, nor prohibited to it by the states, are reserved to the states respectively, or to the people.

ART. XI.—The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ART. XII.—1. The electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the persons voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the per-

sons having the highest number, not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President.—But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice-President of the United States.

ART. XIII.—If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept or retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

WASHINGTON'S INAUGURAL ADDRESS,

APRIL 30, 1789.

Fellow-Citizens of the Senate and House of Representatives:

Among the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years, a retreat which was rendered every day more necessary as well as more dear to me by the addition of habit to inclination, and of frequent interruptions in my health, to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence, one, who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiences. In this conflict of emotions, all that I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be effected. All I dare hope is, that if in executing this task I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens, and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country with some share of the partiality with which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the universe—who presides in the councils of nations—and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own, nor those of my fellow-citizens at large, less than either. No people can be bound to acknowledge and adore the invisible Hand which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seems to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President "to recommend to your consideration such measures as he shall judge necessary and expedient." The circumstances under which I now meet you will acquit me from entering into that subject farther than to refer to the great constitutional charter under which you are assembled, and which, in

defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism which adorn the characters selected to devise and adopt them. In these honorable qualifications I behold the surest pledges that, as on one side, no local prejudices or attachments, no separate views nor party animosities, will misdirect the comprehensive and equal eye which ought to watch over this great assemblage of communities and interests: so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality; and the pre-eminence of free government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world. I dwell on this prospect with every satisfaction which an ardent love for my country can inspire, since there is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness, between duty and advantage; between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity; since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right which Heaven itself has ordained, and since the preservation of the sacred fire of liberty, and the destiny of the republican model of government, are justly considered as deeply, perhaps as finally staked on the experiment intrusted to the hands of the American people.

Besides the ordinary objects submitted to your care, it will remain with your judgment to decide how far an exercise of the occasional power delegated by the fifth article of the constitution is rendered expedient at the present juncture by the nature of the objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from offi-

cial opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good; for I assure myself that while you carefully avoid every alteration which might endanger the benefits of a united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen, and a regard for the public harmony, will sufficiently influence your deliberations on the question how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add, which will be most properly addressed to the House of Representatives. It concerns myself, and will therefore be as brief as possible. When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed; and being still under the impressions which produced it, I must decline, as inapplicable to myself, any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department, and must accordingly pray that the pecuniary estimates for the station in which I am placed, may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave, but not without resorting once more to the benign Parent of the human race, in humble supplication that, since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquility and dispositions for deciding with unparalleled unanimity on a form of government for the security of their union and the advancement of their happiness, so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures on which the success of this government must depend.

WASHINGTON'S FIRST ANNUAL ADDRESS,

JANUARY 8, 1790.

Fellow-Citizens of the Senate,
and House of Representatives:

I embrace with great satisfaction the opportunity which now presents itself of congratulating you on the present favorable prospects of our public affairs. The recent accession of the important state of North Carolina to the constitution of the United States, (of which official information has been received,) the rising credit and respectability of our country, the general and increasing good will towards the government of the Union, and the concord, peace, and plenty, with which we are blessed, are circumstances auspicious, in an eminent degree, to our national prosperity.

In resuming your consultations for the general good, you cannot but derive encouragement from the reflection that the measures of the last session have been as satisfactory to your constituents, as the novelty and difficulty of the work allowed you to hope. Still further to realize their expectations, and to secure the blessings which a gracious Providence has placed within our reach, will, in the course of the present important session, call for the cool and deliberate exertion of your patriotism, firmness, and wisdom.

Among the many interesting objects which will engage your attention, that of providing for the common defence will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace.

A free people ought not only to be armed, but disciplined; to which end a uniform and well-digested plan is requisite: and their safety and interest require that they should promote such manufactures as tend to render them independent of others for essential, particularly military supplies.

The proper establishment of the troops which may be deemed indispensable, will be entitled to mature consideration. In the arrangements which may be made respecting it, it will be of importance to conciliate the com-

fortable support of the officers and soldiers, with a due regard to economy.

There was reason to hope that the pacific measures adopted with regard to certain hostile tribes of Indians would have relieved the inhabitants of our southern and western frontiers from their depredations; but you will perceive from the information contained in the papers which I shall direct to be laid before you, (comprehending a communication from the commonwealth of Virginia,) that we ought to be prepared to afford protection to those parts of the Union, and, if necessary, to punish aggressors.

The interests of the United States require that our intercourse with other nations should be facilitated by such provisions as will enable me to fulfil my duty in that respect, in the manner which circumstances may render most conducive to the public good, and, to this end, that the compensations to be made to the persons who may be employed should, according to the nature of their appointments, be defined by law; and a competent fund designated for defraying the expenses incident to the conduct of our foreign affairs.

Various considerations also render it expedient that the terms on which foreigners may be admitted to the rights of citizens, should be speedily ascertained by a uniform rule of naturalization.

Uniformity in the currency, weights, and measures of the United States is an object of great importance, and will, I am persuaded, be duly attended to.

The advancement of agriculture, commerce and manufactures, by all proper means, will not, I trust, need recommendation; but I cannot forbear intimating to you the expediency of giving effectual encouragement, as well to the introduction of new and useful inventions from abroad, as to the exertions of skill and genius in producing them at home; and of facilitating the intercourse between the distant parts of our country by a due attention to the post-office and post-roads.

Nor am I less persuaded that you will agree with me in opinion, that there is nothing which can better deserve your patronage than the promotion of science and litera-

ture. Knowledge is in every country the surest basis of public happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionably essential. To the security of a free constitution it contributes in various ways: by convincing those who are intrusted with the public administration, that every valuable end of government is best answered by the enlightened confidence of the people; and by teaching the people themselves to know and to value their own rights; to discern and provide against invasions of them; to distinguish between oppression and the necessary exercise of lawful authority; between burdens proceeding from a disregard to their convenience, and those resulting from the inevitable exigencies of society; to discriminate the spirit of liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy but temperate vigilance against encroachments, with an inviolable respect to the laws.

Whether this desirable object will be best promoted by affording aids to seminaries of learning already established; by the institution of a national university; or by any other expedients, will be well worthy of a place in the deliberations of the legislature.

Gentlemen of the House of Representatives:

I saw with peculiar pleasure, at the close of the last session, the resolution entered into by you, expressive of your opinion that an adequate provision for the support of the public credit, is a matter of high importance to the national honor and prosperity. In this sentiment I entirely concur. And, to a perfect confidence in your best endeavors to devise such a provision as will be truly consistent with the end, I add an equal reliance on the cheerful co-operation of the other branch of the legislature. It would be superfluous to specify inducements to a measure in which the character and permanent interest of the United States are so obviously and so deeply concerned, and which has received so explicit a sanction from your declaration.

Gentlemen of the Senate,
and House of Representatives:

I have directed the proper officers to lay before you, respectively, such papers and estimates as regard the affairs particularly recommended to your consideration, and necessary to convey to you that information of the state of the Union which it is my duty to afford.

The welfare of our country is the great object to which our cares and efforts ought to be directed. And I shall derive great satisfaction from a co-operation with you, in the pleasing, though arduous task of insuring to our fellow-citizens the blessings which they have a right to expect from a free, efficient, and equal government.

ADAMS'S INAUGURAL ADDRESS,

MARCH 4, 1797.

When it was first perceived, in early times, that no middle course for America remained, between unlimited submission to a foreign legislature, and a total independence of its claims, men of reflection were less apprehensive of danger from the formidable power of fleets and armies they must determine to resist, than from those contests and dissensions which would certainly arise concerning the forms of government to be instituted over the whole and over the parts of this extensive country. Relying, however, on the purity of their intentions, the justice of their cause, and the integrity and intelligence of the people, under an overruling Providence which had so signally protected this country from the first, the representatives of this nation, then consisting of little more than half its present number, not only broke to pieces the chains which were forging, and the rod of iron that was lifted up, but frankly cut asunder the ties which had bound them, and launched into an ocean of uncertainty.

The zeal and ardor of the people, during the revolutionary war, supplying the place of government, com-

manded a degree of order, sufficient at least for the temporary preservation of society. The confederation which was early felt to be necessary was prepared from the models of the Batavian and Helvetic confederacies: the only examples which remain, with any detail and precision in history, and certainly the only ones which the people at large had ever considered. But, reflecting on the striking difference in so many particulars, between this country and those, where a courier may go from the seat of government to the frontier in a single day, it was then certainly foreseen by some who assisted in Congress at the formation of it, that it could not be durable.

Negligence of its regulations, inattention to its recommendations, if not disobedience to its authority, not only in individuals, but in states, soon appeared with their melancholy consequences; universal languor; jealousies and rivalries of states; decline of navigation and commerce; discouragement of necessary manufactures; universal fall in the value of lands and their produce; contempt of public and private faith; loss of consideration and credit with foreign nations; and, at length, in discontents, animosities, combinations, partial conventions, and insurrection, threatening some great national calamity.

In this dangerous crisis, the people of America were not abandoned by their usual good sense, presence of mind, resolution, or integrity. Measures were pursued to concert a plan to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty. The public disquisitions, discussions, and deliberations, issued in the present happy constitution of government.

Employed in the service of my country abroad during the whole course of these transactions, I first saw the constitution of the United States in a foreign country. Irritated by no literary altercation, animated by no public debate, heated by no party animosity, I read it with great satisfaction, as a result of good heads, prompted by good hearts; as an experiment better adapted to the genius, character, situation, and relations of this nation and country, than any which had ever been proposed or sug-

gested. In its general principles and great outlines, it was conformable to such a system of government as I had ever most esteemed, and some states, my own native state in particular, had contributed to establish. Claiming a right of suffrage, in common with my fellow-citizens, in the adoption or rejection of a constitution which was to rule me and my posterity, as well as them and theirs, I did not hesitate to express my approbation of it, on all occasions, in public and in private. It was not then, nor has been since, any objection to it, in my mind, that the executive and senate were not more permanent. Nor have I ever entertained a thought of promoting any alteration in it, but such as the people themselves, in the course of their experience, should see and feel to be necessary or expedient, and by their Representatives in Congress and the state legislatures, according to the constitution itself, adopt and ordain.

Returning to the bosom of my country, after a painful separation from it for ten years, I had the honor to be elected to a station under the new order of things, and I have repeatedly laid myself under the most serious obligations to support the constitution. The operation of it has equalled the most sanguine expectations of its friends; and, from an habitual attention to it, satisfaction in its administration, and delight in its effects upon the peace, order, prosperity, and happiness of the nation, I have acquired an habitual attachment to it, and veneration for it.

What other form of government, indeed, can so well deserve our esteem and love?

There may be little solidity in an ancient idea, that congregations of men into cities and nations are the most pleasing objects in the sight of superior intelligencies: but this is very certain, that, to a benevolent human mind, there can be no spectacle presented by any nation more pleasing, more noble, majestic, or august, than an assembly like that which has so often been seen in this and the other chamber of Congress, of a government, in which the executive authority, as well as that of all the branches of the legislature, are exercised by citizens selected, at regular periods, by their neighbors, to make and execute laws for the general good. Can any thing

essential, any thing more than mere ornament and decoration, be added to this by robes and diamonds? Can authority be more amiable and respectable, when it descends from accidents, or institutions established in remote antiquity, than when it springs fresh from the hearts and judgments of an honest and enlightened people? For it is the people only that are represented: it is their power and majesty that is reflected, and only for their good, in every legitimate government, under whatever form it may appear. The existence of such a government as ours, for any length of time, is a full proof of a general dissemination of knowledge and virtue throughout the whole body of the people. And what object or consideration more pleasing than this, can be presented to the human mind? If national pride is ever justifiable, or excusable, it is when it springs, not from power or riches, grandeur or glory, but from conviction of national innocence, information and benevolence.

In the midst of these pleasing ideas, we should be unfaithful to ourselves, if we should ever lose sight of the danger to our liberties, if any thing partial or extraneous should infect the purity of our free, fair, virtuous, and independent elections. If an election is to be determined by a majority of a single vote, and that can be procured by a party, through artifice or corruption, the government may be the choice of a party, for its own ends, not of the nation for the national good. If that solitary suffrage can be obtained by foreign nations by flattery or menaces, by fraud or violence, by terror, intrigue, or venality, the government may not be the choice of the American people, but of foreign nations. It may be foreign nations who govern us, and not we, the people, who govern ourselves. And candid men will acknowledge, that in such cases, choice would have little advantage to boast of, over lot or chance.

Such is the amiable and interesting system of government (and such are some of the abuses to which it may be exposed) which the people of America have exhibited to the admiration and anxiety of the wise and virtuous of all nations for eight years, under the administration of a citizen who, by a long course of great actions, regulated

by prudence, justice, temperance, and fortitude, conducting a people, inspired with the same virtues, and animated with the same ardent patriotism and love of liberty, to independence and peace, to increasing wealth and unexampled prosperity, has merited the gratitude of his fellow-citizens, commanded the highest praises of foreign nations, and secured immortal glory with posterity.

In that retirement which is his voluntary choice, may he long live to enjoy the delicious recollection of his services, the gratitude of mankind, the happy fruits of them to himself and the world, which are daily increasing, and that splendid prospect of the future fortunes of this country which is opening from year to year. His name may be still a rampart, and the knowledge that he lives, a bulwark against all open or secret enemies of his country's peace. This example has been recommended to the imitation of his successors by both houses of Congress, and by the voice of the legislatures and the people throughout the nation.

On this subject it might become me better to be silent, or to speak with diffidence; but, as something may be expected, the occasion, I hope, will be admitted as an apology, if I venture to say, That,

If a preference, upon principle, of a free republican government, formed upon long and serious reflection, after a diligent and impartial inquiry after truth; if an attachment to the constitution of the United States, and a conscientious determination to support it, until it shall be altered by the judgments and wishes of the people, expressed in the mode prescribed in it; if a respectful attention to the constitutions of the individual states, and a constant caution and delicacy towards the state governments; if an equal and impartial regard to the rights, interest, honor, and happiness of all the states in the Union, without preference or regard to a northern or southern, an eastern or western position, their various political opinions on unessential points, or their personal attachments; if a love of virtuous men of all parties and denominations; if a love of science and letters, and a wish to patronize every rational effort to encourage schools, colleges, universities, academies, and every institution for pro-

pagating knowledge, virtue, and religion, among all classes of the people, not only for their benign influence on the happiness of life in all its stages and classes, and of society in all its forms, but as the only means of preserving our constitution from its natural enemies, the spirit of sophistry, the spirit of party, the spirit of intrigue, the profligacy of corruption, and the pestilence of foreign influence, which is the angel of destruction to elective governments; if a love of equal laws, of justice, and humanity in the interior administration; if an inclination to improve agriculture, commerce, and manufactures for necessity, convenience, and defence; if a spirit of equity and humanity towards the aboriginal nations of America, and a disposition to meliorate their condition by inclining them to be more friendly to us, and our citizens to be more friendly to them; if an inflexible determination to maintain peace and inviolable faith with all nations, and that system of neutrality and impartiality among the belligerent powers of Europe which has been adopted by this government, and so solemnly sanctioned by both houses of Congress, and applauded by the legislatures of the states and the public opinion, until it shall be otherwise ordained by Congress; if a personal esteem for the French nation, formed in a residence of seven years, chiefly among them, and a sincere desire to preserve the friendship which has been so much for the honor and interest of both nations; if, while the consoious honor and integrity of the people of America, and the internal sentiment of their own power and energies must be preserved, an earnest endeavor to investigate every just cause, and remove every colorable pretence of complaint; if an intention to pursue by amicable negotiation a reparation for the injuries that have been committed on the commerce of our fellow-citizens by whatever nation; and if success cannot be obtained, to lay the facts before the legislature, that they may consider what further measures the honor and interest of the government and its constituents demand; if a resolution to do justice, as far as may depend upon me, at all times and to all nations, and maintain peace, friendship, and benevolence with all the world; if an unshaken confidence in the honor, spirit, and re-

sources of the American people, on which I have so often hazarded my all, and never been deceived; if elevated ideas of the high destinies of this country and of my own duties towards it, founded on a knowledge of the moral principles and intellectual improvements of the people, deeply engraven on my mind in early life, and not obscured, but exalted by experience and age; and, with humble reverence, I feel it to be my duty to add, if a veneration for the religion of a people who profess and call themselves Christians, and a fixed resolution to consider a decent respect for Christianity among the best recommendations for the public service, can enable me, in any degree, to comply with your wishes, it shall be my strenuous endeavor, that this sagacious injunction of the two houses shall not be without effect.

With this great example before me, with the sense and spirit, the faith and honor, the duty and interest, of the same American people, pledged to support the constitution of the United States, I entertain no doubt of its continuance in all its energy, and my mind is prepared, without hesitation, to lay myself under the most solemn obligations to support it to the utmost of my power.

And may that Being who is supreme over all, the Patron of order, the Fountain of justice, and the Protector, in all ages of the world, of virtuous liberty, continue his blessing upon this nation and its government, and give it all possible success and duration consistent with the ends of his Providence.

ADAMS'S FIRST ANNUAL ADDRESS,

NOVEMBER 23, 1797.

Gentlemen of the Senate,
and House of Representatives:

I was for some time apprehensive that it would be necessary, on account of the contagious sickness which afflicted the city of Philadelphia, to convene the national legislature at some other place. This measure it was

desirable to avoid, because it would occasion much public inconvenience, and a considerable public expense, and add to the calamities of the inhabitants of this city, whose sufferings must have excited the sympathy of all their fellow-citizens; therefore, after taking measures to ascertain the state and decline of the sickness, I postponed my determination, having hopes, now happily realized, that, without hazard to the lives of the members, Congress might assemble at this place, where it was by law next to meet. I submit, however, to your consideration, whether a power to postpone the meeting of Congress, without passing the time fixed by the constitution, upon such occasions, would not be a useful amendment to the law of one thousand seven hundred and ninety-four.

Although I cannot yet congratulate you on the re-establishment of peace in Europe, and the restoration of security to the persons and properties of our citizens from injustice and violence at sea; we have, nevertheless, abundant cause of gratitude to the Source of benevolence and influence, for interior tranquillity and personal security, for propitious seasons, prosperous agriculture, productive fisheries, and general improvements, and, above all, for a rational spirit of civil and religious liberty, and a calm but steady determination to support our sovereignty, as well as our moral and religious principles, against all open and secret attacks.

Our envoys extraordinary to the French republic embarked, one in July, the other early in August, to join their colleague in Holland. I have received intelligence of the arrival of both of them in Holland, from whence they all proceeded on their journey to Paris, within a few days of the 19th of September. Whatever may be the result of this mission, I trust that nothing will have been omitted, on my part, to conduct the negotiation to a successful conclusion, on such equitable terms as may be compatible with the safety, honor, and interest of the United States. Nothing, in the mean time, will contribute so much to the preservation of peace, and the attainment of justice, as a manifestation of that energy and unanimity, of which, on many former occasions, the people of the United States have given such memorable

proofs, and the exertion of those resources for national defence which a beneficent Providence has kindly placed within their power.

It may be confidently asserted that nothing has occurred, since the adjournment of Congress, which renders inexpedient those precautionary measures recommended by me to the consideration of the two houses, at the opening of your late extraordinary session. If that system was then prudent, it is more so now, as increasing depredations strengthen the reasons for its adoption.

Indeed, whatever may be the issue of the negotiation with France, and whether the war in Europe is, or is not, to continue, I hold it most certain, that permanent tranquillity and order will not soon be obtained. The state of society has so long been disturbed, the sense of moral and religious obligations so much weakened, public faith and national honor have been so impaired, respect to treaties has been so diminished, and the law of nations has lost so much of its force; while pride, ambition, avarice, and violence, have been so long unrestrained, there remains no reasonable ground on which to raise an expectation, that a commerce without protection or defence will not be plundered.

The commerce of the United States is essential, if not to their existence, at least to their comfort, their growth, prosperity, and happiness. The genius, character, and habits of the people are highly commercial; their cities have been formed and exist upon commerce; our agriculture, fisheries, arts, and manufactures, are connected with and depend upon it. In short, commerce has made this country what it is, and it cannot be destroyed or neglected without involving the people in poverty and distress. Great numbers are directly and solely supported by navigation; the faith of society is pledged for the preservation of the rights of commercial and seafaring, no less than of the other citizens. Under this view of our affairs, I should hold myself guilty of a neglect of duty, if I forbore to recommend that we should make every exertion to protect our commerce, and to place our country in a suitable posture of defence, as the only sure means of preserving both.

I have entertained an expectation that it would have been in my power, at the opening of this session, to have communicated to you the agreeable information of the due execution of our treaty with his Catholic majesty, respecting the withdrawing of his troops from our territory, and the demarkation of the line of limits; but, by the latest authentic intelligence, Spanish garrisons were still continued within our country, and the running of the boundary line had not been commenced; these circumstances are the more to be regretted, as they cannot fail to affect the Indians in a manner injurious to the United States. Still, however, indulging the hope that the answers which have been given will remove the objections offered by the Spanish officers to the immediate execution of the treaty, I have judged it proper that we should continue in readiness to receive the posts, and to run the line of limits. Further information on this subject will be communicated in the course of the session.

In connection with this unpleasant state of things on our western frontier, it is proper for me to mention the attempts of foreign agents to alienate the affections of the Indian nations, and to excite them to actual hostilities against the United States; great activity has been exerted by those persons who have insinuated themselves among the Indian tribes residing within the territory of the United States, to influence them to transfer their affections and force to a foreign nation, to form them into a confederacy, and prepare them for a war against the United States. Although measures have been taken to counteract these infractions of our rights, to prevent Indian hostilities, and to preserve entire their attachment to the United States, it is my duty to observe, that, to give a better effect to these measures, and to obviate the consequences of a repetition of such practices, a law providing adequate punishment for such offences may be necessary.

The commissioners appointed under the fifth article of the treaty of amity, commerce and navigation between the United States and Great Britain, to ascertain the river which was truly intended under the name of the river St Croix, mentioned in the treaty of peace, met at Passa-

maquoddy Bay, in October, one thousand seven hundred and ninety-six, and viewed the mouths of the rivers in question, and adjacent shores on the islands; and being of opinion, that actual surveys of both rivers, to their sources, were necessary, gave to the agents of the two nations instructions for that purpose, and adjourned to meet at Boston, in August. They met; but the surveys requiring more time than had been supposed, and not being then completed, the commissioners again adjourned to meet at Providence, in the state of Rhode Island, in June next, when we may expect a final examination and decision.

The commissioners appointed in pursuance of the sixth article of the treaty, met at Philadelphia, in May last, to examine the claims of British subjects for debts contracted before the peace, and still remaining due to them from citizens or inhabitants of the United States. Various causes have hitherto prevented any determinations; but the business is now resumed, and doubtless will be prosecuted without interruption.

Several decisions on the claims of the citizens of the United States for losses and damages sustained by reason of irregular and illegal captures or condemnations of their vessels or other property, have been made by the commissioners in London, conformably to the seventh article of the treaty. The sums awarded by the commissioners have been paid by the British government; a considerable number of other claims, where costs and damages, and not captured property, were the only objects in question, have been decided by arbitration, and the sums awarded to the citizens of the United States have also been paid.

The commissioners appointed, agreeably to the twenty-first article of our treaty with Spain, met at Philadelphia, in the summer past, to examine and decide on the claims of our citizens for losses they have sustained in consequence of their vessels and cargoes having been taken by the subjects of his Catholic majesty, during the late war between Spain and France. Their sittings have been interrupted, but are now resumed.

The United States being obligated to make compensa-

tion for the losses and damages sustained by British subjects, upon the award of the commissioners acting under the sixth article of the treaty with Great Britain, and for the losses and damages sustained by British subjects, by reason of the capture of their vessels and merchandise, taken within the limits and jurisdiction of the United States, and brought into their ports, or taken by vessels originally armed in ports of the United States, upon the awards of the commissioners, acting under the seventh article of the same treaty; it is necessary that provision be made for fulfilling these obligations.

The numerous captures of American vessels by the cruisers of the French republic, and of some of those of Spain, have occasioned considerable expenses in making and supporting the claims of our citizens before their tribunals. The sums required for this purpose have, in divers instances, been disbursed by the consuls of the United States. By means of the same captures, great numbers of our seamen have been thrown ashore in foreign countries, destitute of all means of subsistence, and the sick, in particular, have been exposed to grievous sufferings. The consuls have, in these cases also, advanced money for their relief; for these advances they reasonably expect reimbursements from the United States.

The consular act, relative to seamen, requires revision and amendment; the provisions for their support in foreign countries, and for their return, are found to be inadequate and ineffectual. Another provision seems necessary to be added to the consular act; some foreign vessels have been discovered sailing under the flag of the United States, and with forged papers; it seldom happens that the consuls can detect this deception, because they have no authority to demand an inspection of the registers and sea-letters.

Gentlemen of the House of Representatives:

It is my duty to recommend to your serious consideration those objects, which, by the constitution, are placed particularly within your sphere, the national debts and taxes.

Since the decay of the feudal system, by which the

public defence was provided for chiefly at the expense of individuals, the system of loans has been introduced; and as no nation can raise within the year, by taxes, sufficient sums for the defence and military operations in time of war, the sums loaned and debts contracted have necessarily become the subjects of what have been called funding systems. The consequences arising from the continual accumulation of public debts in other countries, ought to admonish us to be careful to prevent their growth in our own. The national defence must be provided for, as well as the support of government; but both should be accomplished, as much as possible, by immediate taxes, and as little as possible by loans.

The estimates for the service of the ensuing year will, by my direction, be laid before you.

Gentlemen of the Senate,
and House of Representatives:

We are met together at a most interesting period. The situations of the principal powers of Europe are singular and portentous. Connected with some by treaties, and with all by commerce, no important event there can be indifferent to us. Such circumstances call with peculiar importunity, not less for a disposition to unite in all those measures on which the honor, safety, and prosperity of our country depend, than for all the exertions of wisdom and firmness.

In all such measures, you may rely on my zealous and hearty concurrence.

JEFFERSON'S INAUGURAL ADDRESS,

MARCH 4, 1801.

Friends and Fellow-Citizens:

Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled, to express my grateful thanks for the favor with

which they have been pleased to look towards me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments, which the greatness of the charge, and the weakness of my powers, so justly inspire. A rising nation, spread over a wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye; when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking. Utterly indeed should I despair, did not the presence of many whom I here see remind me that, in the other high authorities provided by our constitution, I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked, amid the conflicting elements of a troubled world.

During the contest of opinion through which we have passed, the animation of discussion and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely, and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will of course arrange themselves under the will of the law, and unite in common efforts for the common good. All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate, would be oppression. Let us then, fellow-citizens, unite with one heart and one mind, let us restore to social intercourse that harmony and affection, without which liberty, and even life itself, are but dreary things. And let us reflect, that,

having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more felt and feared by some, and less by others; that this should divide opinions as to measures of safety; but every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists. If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated, where reason is left free to combat it. I know indeed that some honest men fear that a republican government cannot be strong; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm, on the theoretic and visionary fear that this government, the world's best hope, may, by possibility, want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one where every man, at the call of the laws, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern. Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others; or have we found angels in the forms of kings to govern him? Let history answer this question.

Let us then, with courage and confidence, pursue our own federal and republican principles, our attachment to our union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a

chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; enlightened by a benign religion, professed indeed and practised in various forms, yet all of them including honesty, truth, temperance, gratitude, and the love of man, acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter; with all these blessings, what more is necessary to make us a happy and prosperous people? Still one thing more, fellow-citizens—a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend every thing dear and valuable to you, it is proper that you should understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principles, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the state governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies; the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people; a mild and safe corrective of abuses, which are lopped by the sword of revolution, where peaceable remedies are unprovided; absolute acquiescence in the

decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts, and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information, and arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; and freedom of person, under the protection of the habeas corpus; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages and blood of our heroes have been devoted to their attainment: they should be the creed of our political faith; the text of civil instruction; the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps, and to regain the road which alone leads to peace, liberty, and safety.

I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this, the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and the favor which bring him into it. Without pretensions to that high confidence you reposed in our first and great revolutionary character, whose pre-eminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong through defect of judgment. When right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional; and your sup-

port against the errors of others, who may condemn what they would not, if seen in all its parts. The approbation implied by your suffrage is a consolation to me for the past; and my future solicitude will be, to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choices it is in your power to make. And may that infinite Power which rules the destinies of the universe, lead our councils to what is best, and give them a favorable issue for your peace and prosperity.

DECEMBER 8, 1801.

SIR: The circumstances under which we find ourselves at this place rendering inconvenient the mode heretofore practised, of making by personal address the first communication between the legislative and executive branches, I have adopted that by message, as used on all subsequent occasions through the session. In doing this, I have had principal regard to the inconvenience of the legislature, to the economy of their time, to their relief from the embarrassment of immediate answers on subjects not yet fully before them, and to the benefits thence resulting to the public affairs. Trusting that a procedure founded in these motives will meet their approbation, I beg leave, through you, sir, to communicate the enclosed message, with the documents accompanying it, to the honorable the Senate, and pray you to accept, for yourself and them, the homage of my high respect and consideration.

THOMAS JEFFERSON.

The Hon. the
PRESIDENT OF THE SENATE.

JEFFERSON'S FIRST ANNUAL MESSAGE,

DECEMBER 8, 1801.

Fellow-Citizens of the Senate,
and House of Representatives:

It is a circumstance of sincere gratification to me that, on meeting the great council of our nation, I am able to announce to them, on grounds of reasonable certainty, that the wars and troubles which have for so many years afflicted our sister-nations, have at length come to an end, and that the communications of peace and commerce are once more opening among them. Whilst we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound, with peculiar gratitude, to be thankful to him that our own peace has been preserved through so perilous a season, and ourselves permitted quietly to cultivate the earth, and to practise and improve those arts which tend to increase our comforts. The assurances, indeed, of friendly disposition, received from all the powers with whom we have principal relations, had inspired a confidence that our peace with them would not have been disturbed. But a cessation of irregularities which had affected the commerce of neutral nations, and of the irritations and injuries produced by them, cannot but add to this confidence, and strengthens, at the same time, the hope that wrongs committed on unoffending friends, under a pressure of circumstances, will now be reviewed with candor, and will be considered as founding just claims of retribution for the past, and new assurances for the future.

Among our Indian neighbors, also, a spirit of peace and friendship generally prevails; and I am happy to inform you that the continued efforts to introduce among them the implements and the practice of husbandry and of the household arts, have not been without success; that they are becoming more and more sensible of the superiority of this dependence for clothing and subsistence, over the precarious resources of hunting and fish-

ing; and already we are able to announce that, instead of that constant diminution of their numbers, produced by their wars and their wants, some of them begin to experience an increase of population.

To this state of general peace with which we have been blessed, one only exception exists. Tripoli, the least considerable of the Barbary states, had come forward with demands unfounded either in right or in compact, and had permitted itself to denounce war, on our failure to comply before a given day. The style of the demand admitted but one answer. I sent a small squadron of frigates into the Mediterranean, with assurances to that power of our sincere desire to remain in peace; but with orders to protect our commerce against the threatened attack. The measure was seasonable and salutary. The Bey had already declared war. His cruisers were out. Two had arrived at Gibraltar. Our commerce in the Mediterranean was blockaded, and that of the Atlantic in peril. The arrival of our squadron dispelled the danger. One of the Tripolitan cruisers, having fallen in with and engaged the small schooner Enterprise, commanded by Lieutenant Sterret, which had gone as a tender to our larger vessels, was captured, after a heavy slaughter of her men, without the loss of a single one on our part. The bravery exhibited by our citizens on that element will, I trust, be a testimony to the world that it is not the want of that virtue which makes us seek their peace, but a conscientious desire to direct the energies of our nation to the multiplication of the human race, and not to its destruction. Unauthorized by the constitution, without the sanction of Congress, to go beyond the line of defence, the vessel, being disabled from committing further hostilities, was liberated with its crew. The legislature will doubtless consider whether, by authorizing measures of offence also, they will place our force on an equal footing with that of its adversaries. I communicate all material information on this subject, that, in the exercise of this important function confided by the constitution to the legislature exclusively, their judgment may form itself on a knowledge and consideration of every circumstance of weight.

I wish I could say that our situation with all the other Barbary states was entirely satisfactory. Discovering that some delays had taken place in the performance of certain articles stipulated by us, I thought it my duty, by immediate measures for fulfilling them, to vindicate to ourselves the right of considering the effect of departure from stipulation on their side. From the papers which will be laid before you, you will be enabled to judge whether our treaties are regarded by them as fixing at all the measure of their demands, or as guarding from the exercise of force our vessels within their power; and to consider how far it will be safe and expedient to leave our affairs with them in their present posture.

I lay before you the result of the census lately taken of our inhabitants, to a conformity with which we are now to reduce the ensuing ratio of representation and taxation. You will perceive that the increase of numbers, during the last ten years, proceeding in geometrical ratio, promises a duplication in little more than twenty-two years. We contemplate this rapid growth, and the prospect it holds up to us, not with a view to the injuries it may enable us to do to others in some future day, but to the settlement of the extensive country still remaining vacant within our limits, to the multiplication of men susceptible of happiness, educated in the love of order, habituated to self-government, and valuing its blessings above all price.

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption, in a ratio far beyond that of population alone; and, though the changes of foreign relations now taking place, so desirable for the world, may for a season affect this branch of revenue, yet, weighing all probabilities of expense, as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes—comprehending excise, stamps, auctions, licenses, carriages, and refined sugars; to which the postage on newspapers may be added, to facilitate the progress of information; and that the remaining sources of revenue will be sufficient to provide for the support of government, to pay the inte-

rest of the public debts, and to discharge the principals within shorter periods than the laws of the general expectation had contemplated. War, indeed, and untoward events, may change this prospect of things, and call for expenses which the imposts could not meet. But sound principles will not justify our taxing the industry of our fellow-citizens to accumulate treasure for wars to happen we know not when, and which might not perhaps happen, but from the temptations offered by that treasure.

These views, however, of reducing our burdens, are formed on the expectation that a sensible, and, at the same time, a salutary reduction may take place in our habitual expenditures. For this purpose, those of the civil government, the army, and navy, will need revisal. When we consider that this government is charged with the external and mutual relations only of these states; that the states themselves have principal care of our persons, our property, and our reputation, constituting the great field of human concerns, we may well doubt whether our organization is not too complicated, too expensive; whether offices and officers have not been multiplied unnecessarily, and sometimes injuriously to the service they were meant to promote. I will cause to be laid before you an essay towards a statement of those who, under public employment of various kinds, draw money from the treasury, or from our citizens. Time has not permitted a perfect enumeration, the ramifications of office being too multiplied and remote to be completely traced in a first trial. Among those who are dependent on executive discretion, I have begun the reduction of what was deemed necessary. The expenses of diplomatic agency have been considerably diminished. The inspectors of internal revenue, who were found to obstruct the accountability of the institution, have been discontinued. Several agencies, created by executive authority, on salaries fixed by that also, have been suppressed, and should suggest the expediency of regulating that power by law, so as to subject its exercises to legislative inspection and sanction. Other reformations of the same kind will be pursued with that caution which is requisite, in removing useless things, not to injure what is retained. But the

great mass of public offices is established by law, and therefore by law alone can be abolished. Should the legislature think it expedient to pass this roll in review, and try all its parts by the test of public utility, they may be assured of every aid and light which executive information can yield. Considering the general tendency to multiply offices and dependencies, and to increase expense to the ultimate term of burden which the citizen can bear, it behoves us to avail ourselves of every occasion which presents itself for taking off the surcharge; that it never may be seen here that, after leaving to labor the smallest portion of its earnings on which it can subsist, government shall itself consume the whole residue of what it was instituted to guard.

In our care, too, of the public contributions intrusted to our direction, it would be prudent to multiply barriers against their dissipation, by appropriating specific sums to every specific purpose susceptible of definition; by disallowing all applications of money varying from the appropriation in object, or transcending it in amount; by reducing the undefined field of contingencies, and thereby circumscribing discretionary powers over money; and by bringing back to a single department all accountabilities for money, where the examinations may be prompt, efficacious, and uniform.

An account of the receipts and expenditures of the last year, as prepared by the Secretary of the Treasury, will, as usual, be laid before you. The success which has attended the late sales of the public lands shows that, with attention, they may be made an important source of receipt. Among the payments, those made in discharge of the principal and interest of the national debt, will show that the public faith has been exactly maintained. To these will be added an estimate of appropriations necessary for the ensuing year. This last will, of course, be effected by such modifications of the system of expense as you shall think proper to adopt.

A statement has been formed by the Secretary of War, on mature consideration, of all the posts and stations where garrisons will be expedient, and of the number of men requisite for each garrison. The whole amount is

considerably short of the present military establishment. For the surplus no particular use can be pointed out. For defence against invasion their number is as nothing; nor is it conceived needful or safe that a standing army should be kept up in time of peace for that purpose. Uncertain as we must ever be of the particular point in our circumference where an enemy may choose to invade us, the only force which can be ready at every point, and competent to oppose them, is the body of neighboring citizens as formed into a militia. On these, collected from the parts most convenient, in numbers proportioned to the invading foe, it is best to rely, not only to meet the first attack, but, if it threatens to be permanent, to maintain the defence until regulars may be engaged to relieve them. These considerations render it important that we should, at every session, continue to amend the defects which from time to time show themselves in the laws for regulating the militia, until they are sufficiently perfect; nor should we now or at any time separate until we can say we have done every thing for the militia which we could do were an enemy at our door.

The provision of military stores on hand will be laid before you, that you may judge of the additions still requisite.

With respect to the extent to which our naval preparations should be carried, some difference of opinion may be expected to appear; but just attention to the circumstances of every part of the Union will doubtless reconcile all. A small force will probably continue to be wanted for actual service in the Mediterranean. Whatever annual sum beyond that you may think proper to appropriate for naval preparations, would perhaps be better employed in providing those articles which may be kept without waste or consumption, and be in readiness when any exigency calls them into use. Progress has been made, as will appear by papers now communicated, in providing materials for seventy-four gun ships as directed by law.

How far the authority given by the legislature for procuring and establishing sites for naval purposes has been perfectly understood and pursued in the execution, admits

of some doubt. A statement of the expenses already incurred on that subject is now laid before you. I have, in certain cases, suspended or slackened these expenditures, that the legislature might determine whether so many yards are necessary as have been contemplated. The works at this place are among those permitted to go on; and five of the seven frigates directed to be laid up, have been brought and laid up here, where, besides the safety of their position, they are under the eye of the executive administration, as well as of its agents, and where yourselves also will be guided by your own view in the legislative provisions respecting them which may from time to time be necessary. They are preserved in such condition, as well the vessels as whatever belongs to them, as to be at all times ready for sea on a short warning. Two others are yet to be laid up so soon as they shall have received the repairs requisite to put them also into sound condition. As a superintending officer will be necessary at each yard, his duties and emoluments, hitherto fixed by the executive, will be a more proper subject for legislation. A communication will also be made of our progress in the execution of the law respecting the vessels directed to be sold.

The fortifications of our harbors, more or less advanced, present considerations of great difficulty. While some of them are on a scale sufficiently proportioned to the advantages of their position, to the efficacy of their protection, and the importance of the points within it, others are so extensive, will cost so much in their first erection, so much in their maintenance, and require such a force to garrison them, as to make it questionable what is best now to be done. A statement of those commenced or projected, of the expenses already incurred, and estimates of their future cost, so far as can be foreseen, shall be laid before you, that you may be enabled to judge whether any attention is necessary in the laws respecting this subject.

Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, are then most thriving when left most free to individual enterprise. Protection from casual embarrassments, however, may sometimes be

seasonably interposed. If, in the course of your observations or inquiries, they should appear to need any aid within the limits of our constitutional powers, your sense of their importance is a sufficient assurance they will occupy your attention. We cannot, indeed, but all feel an anxious solicitude for the difficulties under which our carrying trade will soon be placed. How far it can be relieved, otherwise than by time, is a subject of important consideration.

The judiciary system of the United States, and especially that portion of it recently erected, will of course present itself to the contemplation of Congress; and that they may be able to judge of the proportion which the institution bears to the business it has to perform, I have caused to be procured from the several states, and now lay before Congress, an exact statement of all the causes decided since the first establishment of the courts, and of those which were depending when additional courts and judges were brought in to their aid.

And while on the judiciary organization, it will be worthy your consideration, whether the protection of the inestimable institution of juries has been extended to all the cases involving the security of our persons and property. Their impartial selection also being essential to their value, we ought further to consider whether that is sufficiently secured in those states where they are named by a marshal depending on executive will, or designated by the court, or by officers dependent on them.

I cannot omit recommending a revisal of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years, is a denial to a great proportion of those who ask it; and controls a policy pursued, from their first settlement, by many of these states, and still believed of consequence to their prosperity. And shall we refuse the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe? The constitution, indeed, has wisely provided that, for admission to certain offices of important trust, a residence shall be required

sufficient to develop character and design. But might not the general character and capabilities of a citizen be safely communicated to every one manifesting a bona fide purpose of embarking his life and fortunes permanently with us? with restrictions, perhaps, to guard against fraudulent usurpation of our flag; an abuse which brings so much embarrassment and loss on the genuine citizen, and so much danger to the nation of being involved in war, that no endeavor should be spared to detect and suppress it.

These, fellow-citizens, are the matters respecting the state of the nation which I have thought of importance to be submitted to your consideration at this time. Some others of less moment, or not yet ready for communication, will be the subject of separate messages. I am happy in this opportunity of committing the arduous affairs of our government to the collected wisdom of the Union. Nothing shall be wanting on my part to inform, as far as in my power, the legislative judgment, nor to carry that judgment into faithful execution. The prudence and temperance of your discussions will promote, within your own walls, that conciliation which so much befriends rational conclusion; and by its example will encourage among our constituents that progress of opinion which is tending to unite them in object and will. That all should be satisfied with any one order of things is not to be expected; but I indulge the pleasing persuasion that the great body of our citizens will cordially concur in honest and disinterested efforts, which have for their object to preserve the general and state governments in their constitutional form and equilibrium; to maintain peace abroad, and order and obedience to the laws at home; to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what is necessary for the useful purposes of government.

MADISON'S INAUGURAL ADDRESS,

MARCH 4, 1809.

Unwilling to depart from examples of the most revered authority, I avail myself of the occasion now presented, to express the profound impression made on me by the call of my country to the station, to the duties of which I am about to pledge myself by the most solemn of sanctions. So distinguished a mark of confidence, proceeding from the deliberate and tranquil suffrage of a free and virtuous nation, would, under any circumstances, have commanded my gratitude and devotion, as well as filled me with an awful sense of the trust to be assumed. Under the various circumstances which give peculiar solemnity to the existing period, I feel that both the honor and the responsibility allotted to me are inexpressibly enhanced.

The present situation of the world is indeed without a parallel; and that of our own country full of difficulties. The pressure of these too is the more severely felt, because they have fallen upon us at a moment when the national prosperity being at a height not before attained, the contrast resulting from the change has been rendered the more striking. Under the benign influence of our republican institutions, and the maintenance of peace with all nations, whilst so many of them were engaged in bloody and wasteful wars, the fruits of a just policy were enjoyed in an unrivalled growth of our faculties and resources. Proofs of this were seen in the improvements of agriculture; in the successful enterprises of commerce; in the progress of manufactures and useful arts; in the increase of the public revenue, and the use made of it in reducing the public debt; and in the valuable works and establishments every where multiplying over the face of our land.

It is a precious reflection that the transition from this prosperous condition of our country, to the scene which has for some time been distressing us, is not chargeable on any unwarrantable views, nor, as I trust, on any invol-

untary errors in the public councils. Indulging no passions which trespass on the rights or repose of other nations, it has been the true glory of the United States to cultivate peace by observing justice; and to entitle themselves to the respect of the nations at war, by fulfilling their neutral obligations with the most scrupulous impartiality. If there be candor in the world, the truth of these assertions will not be questioned; posterity, at least, will do justice to them.

This unexceptionable course could not avail against the injustice and violence of the belligerent powers. In their rage against each other, or impelled by more direct motives, principles of retaliation have been introduced, equally contrary to universal reason and acknowledged law. How long their arbitrary edicts will be continued, in spite of the demonstrations that not even a pretext for them has been given by the United States, and of the fair and liberal attempt to induce a revocation of them, cannot be anticipated. Assuring myself that, under every vicissitude, the determined spirit and united councils of the nation will be safeguards to its honor and its essential interests, I repair to the post assigned me with no other discouragement than what springs from my own inadequacy to its high duties. If I do not sink under the weight of this deep conviction, it is because I find some support in a consciousness of the purposes, and a confidence in the principles, which I bring with me into this arduous service.

To cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality towards belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries, and so baneful to free ones; to foster a spirit of independence, too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves, and too elevated not to look down upon them in others; to hold the union of the states as the basis of their peace and happiness; to support the constitution, which is the

cement of the Union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the states and to the people, as equally incorporated with, and essential to the success of, the general system; to avoid the slightest interference with the rights of conscience or the functions of religion, so wisely exempted from civil jurisdiction; to preserve, in their full energy, the other salutary provisions in behalf of private and personal rights, and of the freedom of the press; to observe economy in public expenditures; to liberate the public resources by an honorable discharge of the public debts; to keep within the requisite limits a standing military force, always remembering that an armed and trained militia is the firmest bulwark of republics—that without standing armies their liberty can never be in danger, nor with large ones safe; to promote, by authorized means, improvements friendly to agriculture, to manufactures, and to external as well as internal commerce; to favor, in like manner, the advancement of science and the diffusion of information as the best aliment to true liberty; to carry on the benevolent plans which have been so meritoriously applied to the conversion of our aboriginal neighbors from the degradation and wretchedness of savage life, to a participation of the improvements of which the human mind and manners are susceptible in a civilized state: as far as sentiments and intentions such as these can aid the fulfilment of my duty, they will be a resource which cannot fail me.

It is my good fortune, moreover, to have the path in which I am to tread, lighted by examples of illustrious services, successfully rendered in the most trying difficulties, by those who have marched before me. Of those of my immediate predecessor it might least become me here to speak. I may, however, be pardoned for not suppressing the sympathy with which my heart is full, in the rich reward he enjoys in the benedictions of a beloved country, gratefully bestowed for exalted talents, zealously devoted, through a long career, to the advancement of its highest interest and happiness.

But the source to which I look for the aids which alone can supply my deficiencies, is in the well-tried intelligence

and virtue of my fellow-citizens, and in the counsels of those representing them in the best other departments associated in the care of the national interests. In these my confidence will under every difficulty be placed, next to that in which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future.

MADISON'S FIRST ANNUAL MESSAGE,

NOVEMBER 29, 1809.

Fellow-Citizens of the Senate,
and House of Representatives:

At the period of our last meeting, I had the satisfaction of communicating an adjustment with one of the principal belligerent nations, highly important in itself, and still more so, as presaging a more extended accommodation. It is with deep concern I am now to inform you, that the favorable prospect has been overclouded by a refusal of the British government to abide by the act of its minister plenipotentiary, and by its ensuing policy towards the United States, as seen through the communications of the minister sent to replace him.

Whatever pleas may be urged for a disavowal of engagements formed by diplomatic functionaries, in cases where, by the terms of the engagements, a mutual ratification is reserved; or where notice at the time may have been given of a departure from instructions; or in extraordinary cases, essentially violating the principles of equity: a disavowal could not have been apprehended in a case where no such notice or violation existed; where no such ratification was reserved; and, more especially,

where, as is now in proof, an engagement, to be executed without any such ratification, was contemplated by the instructions given, and where it had, with good faith, been carried into immediate execution on the part of the United States.

These considerations not having restrained the British government from disavowing the arrangement, by virtue of which its orders in council were to be revoked, and the event authorizing the renewal of commercial intercourse having thus not taken place, it necessarily became a question of equal urgency and importance, whether the act prohibiting that intercourse was not to be considered as remaining in legal force. This question being, after due deliberation, determined in the affirmative, a proclamation to that effect was issued. It could not but happen, however, that a return to this state of things, from that which had followed an execution of the arrangement by the United States, would involve difficulties. With a view to diminish these as much as possible, the instructions from the Secretary of the Treasury, now laid before you, were transmitted to the collectors of the several ports. If, in permitting British vessels to depart without giving bonds not to proceed to their own ports, it should appear that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt that no individuals should be injured by so unforeseen an occurrence: and I rely on the regard of Congress for the equitable interests of our own citizens, to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.

The recall of the disavowed minister having been followed by the appointment of a successor, hopes were indulged that the new mission would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted, that it would at least be charged with conciliatory explanations of the steps which had been taken, and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was,

it also has not been fulfilled. From the first official disclosures of the new minister, it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed, nor any authority to substitute proposals, as to that branch which concerned the British orders in council. And finally, that his proposals with respect to the other branch, the attack on the frigate Chesapeake, were founded on a presumption, repeatedly declared to be inadmissible by the United States, that the first step towards adjustment was due from them; the proposals, at the same time, omitting even a reference to the officer answerable for the murderous aggression, and asserting a claim not less contrary to the British laws and British practice, than to the principles and obligations of the United States.

The correspondence between the Department of State and this minister will show how unessentially the features presented in its commencement have been varied in its progress. It will show, also, that, forgetting the respect due to all governments, he did not refrain from imputations on this, which required that no further communications should be received from him. The necessity of this step will be made known to his Britannic majesty, through the minister plenipotentiary of the United States in London. And it would indicate a want of the confidence due to a government which so well understands and exacts what becomes foreign ministers near it, not to infer that the misconduct of its own representative will be viewed in the same light in which it has been regarded here. The British government will learn, at the same time, that a ready attention will be given to communications, through any channel which may be substituted. It will be happy, if the change in this respect should be accompanied by a favorable revision of the unfriendly policy which has been so long pursued towards the United States.

With France, the other belligerent, whose trespasses on our commercial rights have long been the subject of our just remonstrances, the posture of our relations does not correspond with the measures taken on the part of the United States to effect a favorable change. The re-

sult of the several communications made to her government, in pursuance of the authorities vested by Congress in the executive, is contained in the correspondence of our minister at Paris now laid before you.

By some of the other belligerents, although professing just and amicable dispositions, injuries materially affecting our commerce have not been duly controlled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the legislature, how far both the safety and honor of the American flag may be consulted, by adequate provision against that collusive prostitution of it by individuals, unworthy of the American name, which has so much favored the real or pretended suspicions, under which the honest commerce of their fellow-citizens has suffered.

In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust, as to the continuance of the existing amity. With our Indian neighbors, the just and benevolent system continued towards them, has also preserved peace, and is more and more advancing habits favorable to their civilization and happiness.

From a statement which will be made by the Secretary of War, it will be seen that the fortifications on our maritime frontier are in many of the ports completed, affording the defence which was contemplated; and that a further time will be required to render complete the works in the harbor of New York, and in some other places. By the enlargement of the works, and the employment of a greater number of hands at the public armories, the supply of small arms, of an improving quality, appears to be annually increasing at a rate that, with those made on private contract, may be expected to go far towards providing for the public exigency.

The act of Congress providing for the equipment of our vessels of war having been fully carried into execution, I refer to the statement of the Secretary of the Navy for the information which may be proper on that subject. To that statement is added a view of the transfers of appropriations, authorized by the act of the ses-

sion preceding the last, and of the grounds on which the transfers were made.

Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention the importance of giving to our militia, the great bulwark of our security and resource of our power, an organization the best adapted to eventual situations, for which the United States ought to be prepared.

The sums which had been previously accumulated in the treasury, together with the receipts during the year ending on the 30th of September last, (and amounting to more than nine millions of dollars,) have enabled us to fulfil all our engagements, and to defray the current expenses of government, without recurring to any loan. But the insecurity of our commerce, and the consequent diminution of the public revenue, will probably produce a deficiency in the receipts of the ensuing year, for which, and for other details, I refer to the statements which will be transmitted from the treasury.

In the state which has been presented of our affairs with the great parties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the United States as a neutral nation, the wisdom of the national legislature will be again summoned to the important decision on the alternatives before them. That these will be met in a spirit worthy the councils of a nation conscious both of its rectitude and of its rights, and careful as well of its honor as of its peace, I have an entire confidence. And that the result will be stamped by a unanimity becoming the occasion, and be supported by every portion of our citizens, with a patriotism enlightened and invigorated by experience, ought as little to be doubted.

In the midst of the wrongs and vexations experienced from external causes, there is much room for congratulation on the prosperity and happiness flowing from our situation at home. The blessing of health has never been more universal. The fruits of the seasons, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our com-

forts. The face of our country every where presents the evidence of laudable enterprise, of extensive capital, and of durable improvement. In the cultivation of the materials, and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor is it unworthy of reflection, that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts, by which the contending nations, in endeavoring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures, of which our own are now taking the place.

Recollecting always, that, for every advantage which may contribute to distinguish our lot from that to which others are doomed by the unhappy spirit of the times, we are indebted to that Divine Providence whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same Omnipotent Source a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.

MONROE'S INAUGURAL ADDRESS,

MARCH 5, 1817.

I SHOULD be destitute of feeling if I was not deeply affected by the strong proof which my fellow-citizens have given me of their confidence, in calling me to the high office, whose functions I am about to assume. As the expression of their good opinion of my conduct in the public service, I derive from it a gratification, which those who are conscious of having done all that they could do to merit it, can alone feel. My sensibility is increased by a just estimate of the importance of the trust, and of the nature and extent of its duties; with the proper discharge of which the highest interests of a great and free people

are intimately connected. Conscious of my own deficiency, I cannot enter on these duties without great anxiety for the result. From a just responsibility I will never shrink; calculating with confidence, that in my best efforts to promote the public welfare, my motives will always be duly appreciated, and my conduct be viewed with that candor and indulgence which I have experienced in other stations.

In commencing the duties of the chief executive office, it has been the practice of the distinguished men who have gone before me, to explain the principles which would govern them in their respective administrations. In following their venerated example, my attention is naturally drawn to the great causes which have contributed, in a principal degree, to produce the present happy condition of the United States. They will best explain the nature of our duties, and shed much light on the policy which ought to be pursued in future.

From the commencement of our revolution to the present day, almost forty years have elapsed, and from the establishment of this constitution, twenty-eight. Through this whole term, the government has been what may emphatically be called, self-government: and what has been the effect? To whatever object we turn our attention, whether it relates to our foreign or domestic concerns, we find abundant cause to felicitate ourselves in the excellence of our institutions. During a period fraught with difficulties, and marked by very extraordinary events, the United States have flourished beyond example. Their citizens, individually, have been happy, and the nation prosperous.

Under this constitution our commerce has been wisely regulated with foreign nations, and between the states; new states have been admitted into our Union; our territory has been enlarged by fair and honorable treaty, and with great advantage to the original states; the states respectively protected by the national government, under a mild paternal system, against foreign dangers, and enjoying within their separate spheres, by a wise partition of power, a just proportion of the sovereignty, have improved their police, extended their settlements, and attained a strength and maturity which are the best proofs of wholesome laws well administered. And if we look to the

condition of individuals, what a proud spectacle does it exhibit? On whom has oppression fallen in any quarter of our Union? Who has been deprived of any right of person or property? Who restrained from offering his vows, in the mode which he prefers, to the Divine Author of his being? It is well known that all these blessings have been enjoyed in their fullest extent; and I add, with peculiar satisfaction, that there has been no example of a capital punishment being inflicted on any one for the crime of high treason.

Some who might admit the competency of our government to these beneficent duties, might doubt it in trials which put to the test its strength and efficiency as a member of the great community of nations. Here, too, experience has afforded us the most satisfactory proof in its favor. Just as this constitution was put into action, several of the principal states of Europe had become much agitated, and some of them seriously convulsed. Destructive wars ensued, which have of late only been terminated. In the course of these conflicts, the United States received great injury from several of the parties. It was their interest to stand aloof from the contest, to demand justice from the party committing the injury, and to cultivate by a fair and honorable conduct, the friendship of all. War became at length inevitable, and the result has shown that our government is equal to that, the greatest of trials under the most unfavorable circumstances. Of the virtue of the people, and of the heroic exploits of the army, the navy, and the militia, I need not speak.

Such, then, is the happy government under which we live; a government adequate to every purpose for which the social compact is formed; a government elective in all its branches, under which every citizen may, by his merit, obtain the highest trust recognized by the constitution; which contains within it no cause of discord; none to put at variance one portion of the community with another; a government which protects every citizen in the full enjoyment of his rights, and is able to protect the nation against injustice from foreign powers.

Other considerations of the highest importance admonish us to cherish our union, and to cling to the govern-

ment which supports it. Fortunate as we are in our political institutions, we have not been less so in other circumstances on which our prosperity and happiness essentially depend. Situated within the temperate zone, and extending through many degrees of latitude along the Atlantic, the United States enjoy all the varieties of climate, and every production incident to that portion of the globe. Penetrating, internally, to the great lakes and beyond the resources of the great rivers which communicate through our whole interior, no country was ever happier with respect to its domain. Blessed too with a fertile soil, our produce has always been very abundant, leaving even in years the least favorable, a surplus for the wants of our fellow-men in other countries. Such is our peculiar felicity, that there is not a part of our Union that is not particularly interested in preserving it. The great agricultural interest of our nation prospers under its protection. Local interests are not less fostered by it. Our fellow-citizens of the north, engaged in navigation, find great encouragement in being made the favored carriers of the vast productions of the other portions of the United States, while the inhabitants of these are amply recompensed, in their turn, by the nursery for seamen and naval force, thus formed and reared up for the support of our common rights. Our manufacturers find a generous encouragement by the policy which patronizes domestic industry; and the surplus of our produce, a steady and profitable market by local wants in less favored parts at home.

Such, then, being the highly favored condition of our country, it is the interest of every citizen to maintain it. What are the dangers which menace us? If any exist, they ought to be ascertained and guarded against.

In explaining my sentiments on this subject, it may be asked, what raised us to the present happy state? How did we accomplish the revolution? How remedy the defects of the first instrument of our Union, by infusing into the national government sufficient power for national purposes, without impairing the just rights of the states, or affecting those of individuals? How sustain and pass with glory through the late war? The government has been in the hands of the people. To the

people, therefore, and to the faithful and able depositaries of their trust, is the credit due. Had the people of the United States been educated in different principles, had they been less intelligent, less independent, or less virtuous, can it be believed that we should have maintained the same steady and consistent career, or been blessed with the same success? While then the constituent body retains its present sound and healthful state, every thing will be safe. They will choose competent and faithful representatives for every department. It is only when the people become ignorant and corrupt, when they degenerate into a populace, that they are incapable of exercising the sovereignty. Usurpation is then an easy attainment, and an usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us then look to the great cause, and endeavor to preserve it in full force. Let us by all wise and constitutional measures, promote intelligence among the people, as the best means of preserving our liberties.

Dangers from abroad are not less deserving of attention. Experiencing the fortune of other nations, the United States may again be involved in war, and it may in that event be the object of the adverse party to overset our government, to break our union, and demolish us as a nation. Our distance from Europe, and the just, moderate, and pacific policy of our government may form some security against these dangers, but they ought to be anticipated and guarded against. Many of our citizens are engaged in commerce and navigation, and all of them are in a certain degree dependent on their prosperous state. Many are engaged in the fisheries. These interests are exposed to invasion in the wars between other powers, and we should disregard the faithful admonitions of experience if we did not expect it. We must support our rights, or lose our character, and with it, perhaps, our liberties. A people who fail to do it, can scarcely be said to hold a place among independent nations. National honor is national property of the highest value. The sentiment in the mind of every citizen, is national strength. It ought therefore to be cherished.

To secure us against these dangers, our coast and

inland frontiers should be fortified, our army and navy regulated upon just principles as to the force of each, be kept in perfect order, and our militia be placed on the best practicable footing. To put our extensive coast in such a state of defence as to secure our cities and interior from invasion, will be attended with expense, but the work when finished will be permanent, and it is fair to presume that a single campaign of invasion, by a naval force, superior to our own, aided by a few thousand land troops, would expose us to a greater expense, without taking into the estimate the loss of property and distress of our citizens, than would be sufficient for this great work. Our land and naval forces should be moderate, but adequate to the necessary purposes. The former to garrison and preserve our fortifications, and to meet the first invasions of a foreign foe; and while constituting the elements of a greater force, to preserve the science, as well as all the necessary implements of war, in a state to be brought into activity in the event of war. The latter, retained within the limits proper in state of peace, might aid in maintaining the neutrality of the United States with dignity, in the wars of other powers, and in saving the property of their citizens from spoliation. In time of war, with the enlargement of which the great naval resources of the country render it susceptible, and which should be duly fostered in time of peace, it would contribute essentially, both as an auxiliary of defence and as a powerful engine of annoyance, to diminish the calamities of war, and to bring the war to a speedy and honorable termination.

But it ought always to be held prominently in view, that the safety of these states, and of every thing dear to a free people, must depend in an eminent degree on the militia. Invasions may be made too formidable to be resisted by any land and naval force, which it would comport, either with the principles of our government, or the circumstances of the United States to maintain. In such cases, recourse must be had to the great body of the people, and in a manner to produce the best effect. It is of the highest importance, therefore, that they be so organized and trained as to be prepared for any emergency.

The arrangement should be such as to put at the command of the government the ardent patriotism and youthful vigor of the country. If formed on equal and just principles, it cannot be oppressive. It is the crisis which makes the pressure, and not the laws which provide a remedy for it. This arrangement should be formed, too, in time of peace, to be the better prepared for war. With such an organization of such a people, the United States have nothing to dread from foreign invasion. At its approach, an overwhelming force of gallant men might always be put in motion.

Other interests of high importance will claim attention; among which, the improvement of our country by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place. By thus facilitating the intercourse between the states, we shall add much to the convenience and comfort of our fellow-citizens, much to the ornament of the country, and what is of greater importance, we shall shorten distances, and by making each part more accessible to and dependent on the other, we shall bind the union more closely together. Nature has done so much for us by intersecting the country with so many great rivers, bays, and lakes, approaching from distant points so near to each other, that the inducement to complete the work seems to be peculiarly strong. A more interesting spectacle was perhaps never seen than is exhibited within the limits of the United States—a territory so vast, and advantageously situated, containing objects so grand, so useful, so happily connected in all their parts.

Our manufactures will, likewise, require the systematic and fostering care of the government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend, in the degree we have done, on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, cannot fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it may do in foreign hands, would be felt advantageously on agri-

culture, and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition, it will enhance the price, and protect the cultivator against the casualties incident to foreign markets.

With the Indian tribes it is our duty to cultivate friendly relations, and to act with kindness and liberality in all our transactions. Equally proper is it to persevere in our efforts to extend to them the advantages of civilization.

The great amount of our revenue, and the flourishing state of the treasury are a full proof of the competency of the national resources for any emergency, as they are of the willingness of our fellow-citizens to bear the burdens which the public necessities require. The vast amount of vacant lands, the value of which daily augments, forms an additional resource of great extent and duration. These resources, besides accomplishing every other necessary purpose, puts it completely in the power of the United States to discharge the national debt at an early period. Peace is the best time for improvement and preparations of every kind: it is in peace that our commerce flourishes most, that taxes are most easily paid, and that the revenue is most productive.

The executive is charged, officially, in the departments under it, with the disbursement of the public money, and is responsible for the faithful application of it to the purposes for which it is raised. The legislature is the watchful guardian over the public purse. It is its duty to see that the disbursement has been honestly made. To meet the requisite responsibility, every facility should be afforded to the executive, to enable it to bring the public agents intrusted with the public money, strictly and promptly to account. Nothing should be presumed against them: but if, with the requisite facilities, the public money is suffered to lie long and uselessly in their hands, they will not be the only defaulters, nor will the demoralizing effect be confined to them. It will evince a relaxation and want of tone in the administration, which will be felt by the whole community. I shall do all that I can to secure economy and fidelity in this important branch of the administration, and I doubt not that the legislature will

perform its duty with equal zeal. A thorough examination should be regularly made, and I will promote it.

It is particularly gratifying to me to enter on the discharge of these duties at a time when the United States are blessed with peace. It is a state most consistent with their prosperity and happiness. It will be my sincere desire to preserve it, so far as depends on the executive, on just principles with all nations, claiming nothing unreasonable of any, and rendering to each what is its due.

Equally gratifying is it to witness the increased harmony of opinion which pervades our Union. Discord does not belong to our system. Union is recommended, as well by the free and benign principles of our government, extending its blessings to every individual, as by the other eminent advantages attending it. The American people have encountered together great dangers, and sustained severe trials with success. They constitute one great family with a common interest. Experience has enlightened us on some questions of essential importance to the country. The progress has been slow, dictated by a just reflection, and a faithful regard to every interest connected with it. To promote this harmony, in accordance with the principles of our republican government, and in a manner to give them the most complete effect, and to advance, in all other respects, the best interests of our country, will be the object of my constant and zealous exertions.

Never did a government commence under auspices so favorable, nor ever was success so complete. If we look to the history of other nations, ancient or modern, we find no example of a growth so rapid, so gigantic; of a people so prosperous and happy. In contemplating what we have still to perform, the heart of every citizen must expand with joy, when he reflects how near our government has approached to perfection; that in respect to it we have no essential improvement to make; that the great object is to preserve it in the essential principles and features which characterize it, and that that is to be done by preserving the virtue and enlightening the minds of the people; and, as a security against foreign dangers, to adopt such arrangements as are indispensable to the

support of our independence, our rights and liberties. If we persevere in the career in which we have advanced so far, and in the path already traced, we cannot fail, under the favor of a gracious Providence, to attain the high destiny which seems to await us.

In the administration of the illustrious men who have preceded me in this high station, with some of whom I have been connected by the closest ties from early life, examples are presented which will always be found highly instructive and useful to their successors. From these I shall endeavor to derive all the advantages which they may afford. Of my immediate predecessor, under whom so important a portion of this great and successful experiment has been made, I shall be pardoned for expressing my earnest wishes that he may long enjoy in his retirement the affections of a grateful country, the best reward of exalted talents and the most faithful and meritorious services. Relying on the aid to be derived from the other departments of government, I enter on the trust to which I have been called by the suffrages of my fellow-citizens, with my fervent prayers to the Almighty that he will be graciously pleased to continue to us that protection which he has already so conspicuously displayed in our favor.

MONROE'S FIRST ANNUAL MESSAGE,

DECEMBER 3, 1817.

Fellow-Citizens of the Senate,
and House of Representatives:

At no period of our political existence had we so much cause to felicitate ourselves at the prosperous and happy condition of our country. The abundant fruits of the earth have filled it with plenty. An extensive and profitable commerce has greatly augmented our revenue. The public credit has attained an extraordinary elevation. Our preparations for defence, in case of future wars, from which, by the experience of all nations, we ought not expect to be exempted, are advancing, under a well-digested

system, with all the despatch which so important a work will admit. Our free government, founded on the interests and affections of the people, has gained, and is daily gaining strength. Local jealousies are rapidly yielding to more generous, enlarged, and enlightened views of national policy. For advantages so numerous and highly important, it is our duty to unite in grateful acknowledgments to that Omnipotent Being, from whom they are derived, and in unceasing prayer that he will endow us with virtue and strength to maintain and hand them down, in their utmost purity, to our latest posterity.

I have the satisfaction to inform you, that an arrangement, which had been commenced by my predecessor, with the British government, for the reduction of the naval force, by Great Britain and the United States, on the lakes, has been concluded; by which it is provided, that neither party shall keep in service on lake Champlain more than one vessel; on lake Ontario, more than one; on lake Erie and the upper lakes, more than two; to be armed, each with one cannon only, and that all the other armed vessels of both parties, of which an exact list is interchanged, shall be dismantled. It is also agreed, that the force retained shall be restricted in its duty to the internal purposes of each party; and that the arrangement shall remain in force until six months shall have expired after notice having been given by one of the parties to the other of its desire that it should terminate. By this arrangement, useless expense on both sides, and what is of greater importance, the danger of collision between armed vessels in those inland waters, which was great, is prevented.

I have the satisfaction also to state, that the commissioners under the fourth article of the treaty of Ghent, to whom it was referred to decide to which party the several islands in the bay of Passamaquoddy belonged, under the treaty of one thousand seven hundred and eighty-three, have agreed in a report, by which all the islands in the possession of each party before the late war have been decreed to it. The commissioners acting under the other articles of the treaty of Ghent, for the settlement of the boundaries, have also been engaged in the discharge of their

respective duties, but have not yet completed them. The difference which arose between the two governments, under the treaty, respecting the right of the United States to take and cure fish on the coast of the British provinces, north of our limits, which had been secured by the treaty of one thousand seven hundred and eighty-three, is still in negotiation. The proposition made by this government, to extend to the colonies of Great Britain the principle of the convention of London, by which the commerce between the ports of the United States and British ports of Europe had been placed on a footing of equality, has been declined by the British government. This subject having been thus amicably discussed between the two governments, and it appearing that the British government is unwilling to depart from its present regulations, it remains for Congress to decide whether they will make any other regulations in consequence thereof, for the protection and improvement of our navigation.

The negotiation with Spain, for spoliations on our commerce, and the settlement of boundaries, remains essentially in the state it held in the communications that were made to Congress by my predecessor. It has been evidently the policy of the Spanish government to keep the negotiation suspended, and in this the United States have acquiesced, from an amicable disposition towards Spain, and in the expectation that her government would, from a sense of justice, finally accede to such an arrangement as would be equal between the parties. A disposition has been lately shown by the Spanish government to move in the negotiation, which has been met by this government, and should the conciliatory and friendly policy which has invariably guided our councils, be reciprocated, a just and satisfactory arrangement may be expected. It is proper, however, to remark that no proposition has yet been made from which such a result can be presumed.

It was anticipated, at an early stage, that the contest between Spain and the colonies would become highly interesting to the United States. It was natural that our citizens should sympathize in events which affected their neighbors. It seemed probable, also, that the prosecution of the conflict, along our coast, and in contiguous coun-

tries, would occasionally interrupt our commerce, and otherwise affect the persons and property of our citizens. These anticipations have been realized. Such injuries have been received from persons acting under the authority of both the parties, and for which redress has, in some instances, been withheld. Through every stage of the conflict, the United States have maintained an impartial neutrality, giving aid to neither of the parties in men, money, ships, or munitions of war. They have regarded the contest not in the light of an ordinary insurrection or rebellion, but as a civil war between parties nearly equal, having, as to neutral powers, equal rights. Our ports have been open to both, and every article the fruit of our soil, or of the industry of our citizens, which either was permitted to take, has been equally free to the other. Should the colonies establish their independence, it is proper now to state that this government neither seeks nor would accept from them any advantage in commerce or otherwise, which will not be equally open to all other nations. The colonies will in that event become independent states, free from any obligation to, or connection with us, which it may not then be their interest to form on a basis of fair reciprocity.

In the summer of the present year, an expedition was set on foot against East Florida, by persons claiming to act under the authority of some of the colonies, who took possession of Amelia Island, at the mouth of St. Mary's river, near the boundary of the state of Georgia. As the province lies eastward of the Mississippi, and is bounded by the United States and the ocean on every side, and has been a subject of negotiation with the government of Spain, as an indemnity for losses by spoliation, or in exchange of territory of equal value, westward of the Mississippi, a fact well known to the world, it excited surprise that any countenance should be given to this measure by any of the colonies. As it would be difficult to reconcile it with the friendly relations existing between the United States and the colonies, a doubt was entertained whether it had been authorized by them, or any of them. This doubt has gained strength, by the circumstances which have unfolded themselves in the prose-

cation of the enterprise, which have marked it as a mere private unauthorized adventure. Projected and commenced with an incompetent force, reliance seems to have been placed on what might be drawn, in defiance of our laws, from within our limits; and of late, as their resources have failed, it has assumed a more marked character of unfriendliness to us, the island being made a channel for the illicit introduction of slaves from Africa into the United States, an asylum for fugitive slaves from the neighboring states, and a port for smuggling of every kind.

A similar establishment was made, at an earlier period, by persons of the same description in the Gulf of Mexico, at a place called Galveston, within the limits of the United States, as we contend, under the cession of Louisiana. This enterprise has been marked in a more signal manner by all the objectionable circumstances which characterized the other, and more particularly by the equipment of privateers which have annoyed our commerce, and by smuggling. These establishments, if ever sanctioned by any authority whatever, which is not believed, have abused their trust and forfeited all claim to consideration. A just regard for the rights and interests of the United States required that they should be suppressed, and orders have accordingly been issued to that effect. The imperious considerations which produced this measure will be explained to the parties whom it may in any degree concern.

To obtain correct information on every subject in which the United States are interested; to inspire just sentiments in all persons in authority, on either side, of our friendly disposition, so far as it may comport with an impartial neutrality, and to secure proper respect to our commerce in every port, and from every flag, it has been thought proper to send a ship of war, with three distinguished citizens along the southern coast, with instructions to touch at such ports as they may find most expedient for these purposes. With the existing authorities, with those in the possession of, and exercising the sovereignty, must the communication be held; from them alone can redress for past injuries, committed by persons acting under them

be obtained; by them alone can the commission of the like in future be prevented.

Our relations with the other powers of Europe have experienced no essential change since the last session. In our intercourse with each, due attention continues to be paid to the protection of our commerce, and to every other object in which the United States are interested. A strong hope is entertained, that by adhering to the maxims of a just, candid, and friendly policy, we may long preserve amicable relations with all the powers of Europe, on conditions advantageous and honorable to our country.

With the Barbary states and the Indian tribes, our pacific relations have been preserved.

In calling your attention to the internal concerns of our country, the view which they exhibit is peculiarly gratifying. The payments which have been made into the treasury show the very productive state of the public revenue. After satisfying the appropriations made by law for the support of the civil government and of the military and naval establishments, embracing suitable provision for fortification and for the gradual increase of the navy, paying the interest of the public debt, and extinguishing more than eighteen millions of the principal, within the present year, it is estimated that a balance of more than six millions of dollars will remain in the treasury on the first day of January, applicable to the current service of the ensuing year.

The payments into the treasury during the year one thousand eight hundred and seventeen, on account of imports and tonnage, resulting principally from duties which have accrued in the present year, may be fairly estimated at twenty millions of dollars; internal revenues, at two millions five hundred thousand; public lands, at one million five hundred thousand; bank dividends and incidental receipts, at five hundred thousand; making, in the whole, twenty-four millions and five hundred thousand dollars.

The annual permanent expenditure for the support of the civil government, and of the army and navy, as now established by law, amounts to eleven millions eight hun-

dred thousand dollars; and for the sinking fund, to ten millions; making, in the whole, twenty-one millions eight hundred thousand dollars; leaving an annual excess of revenue, beyond the expenditure, of two millions seven hundred thousand dollars, exclusive of the balance estimated to be in the treasury on the 1st day of January, one thousand eight hundred and eighteen.

In the present state of the treasury, the whole of the Louisiana debt may be redeemed in the year 1819; after which, if the public debt continues as it now is, above par, there will be annually about five millions of the sinking fund unexpended, until the year 1825, when the loan of 1812, and the stock created by funding treasury notes, will be redeemable.

It is also estimated that the Mississippi stock will be discharged during the year 1819, from the proceeds of the public lands assigned to that object; after which the receipts from those lands will annually add to the public revenue the sum of one million five hundred thousand dollars, making the permanent annual revenue amount to twenty-six millions of dollars, and leaving an annual excess of revenue after the year 1819, beyond the permanent authorized expenditure, of more than four millions of dollars.

By the last returns to the department of war, the militia force of the several states may be estimated at eight hundred thousand men, infantry, artillery, and cavalry. Great part of this force is armed, and measures are taken to arm the whole. An improvement in the organization and discipline of the militia, is one of the great objects which claim the unremitted attention of Congress.

The regular force amounts nearly to the number required by law, and is stationed along the Atlantic and inland frontiers.

Of the naval force, it has been necessary to maintain strong squadrons in the Mediterranean and in the Gulf of Mexico.

From several of the Indian tribes, inhabiting the country bordering on Lake Erie, purchases have been made of lands, on conditions very favorable to the United States, and, it is presumed, not less so to the tribes themselves.

By these purchases the Indian title, with moderate reservations, has been extinguished to the whole of the land within the state of Ohio, and to a great part of that in Michigan territory, and of the state of Indiana. From the Cherokee tribe a tract has been purchased in the state of Georgia, and an arrangement made, by which, in exchange for lands beyond the Mississippi, a great part, if not the whole of the land belonging to the tribe, eastward of that river, in the states of North Carolina, Georgia, and Tennessee, and in the Alabama territory, will soon be acquired. By these acquisitions, and others that may reasonably be expected soon to follow, we shall be enabled to extend our settlements from the inhabited parts of the state of Ohio, along Lake Erie, into the Michigan territory, and to connect our settlements by degrees, through the state of Indiana and the Illinois territory, to that of Missouri. A similar and equally advantageous effect will soon be produced to the south, through the whole extent of the states and territory which border on the waters emptying into the Mississippi and the Mobile. In this progress, which the rights of nature demand, and nothing can prevent, marking a growth rapid and gigantic, it is our duty to make new efforts for the preservation, improvement, and civilization of the native inhabitants. The hunter state can exist only in the vast uncultivated desert. It yields to the more dense and compact form and greater force of civilized population; and of right it ought to yield, for the earth was given to mankind to support the greatest number of which it is capable, and no tribe or people have a right to withhold from the wants of others more than is necessary for their own support and comfort. It is gratifying to know that the reservation of land made by the treaties with the tribes on Lake Erie, were made with a view to individual ownership among them, and to the cultivation of the soil by all, and that an annual stipend has been pledged to supply their other wants. It will merit the consideration of Congress, whether other provisions, not stipulated by the treaty, ought to be made for these tribes, and for the advancement of the liberal and humane policy of the United States towards all the tribes within our limits, and more

particularly for their improvement in the arts of civilized life.

Among the advantages incident to these purchases, and to those which have preceded, the security which may thereby be afforded to our inland frontier is peculiarly important. With a strong barrier, consisting of our own people thus planted on the lakes, the Mississippi and the Mobile, with the protection to be derived from the regular force, Indian hostilities, if they do not altogether cease, will henceforth lose their terror. Fortifications in those quarters to any extent will not be necessary, and the expense attending them may be saved. A people accustomed to the use of fire-arms only, as the Indian tribes are, will shun even moderate works which are defended by cannon. Great fortifications will therefore be requisite only in future along the coast, and at some points in the interior connected with it. On these will the safety of towns and the commerce of our rivers, from the bay of Fundy to the Mississippi, depend. On these, therefore, should the utmost attention, skill and labor be bestowed.

A considerable and rapid augmentation in the value of all the public lands, proceeding from these and other obvious causes, may henceforward be expected. The difficulties attending early emigrations will be dissipated even in the most remote parts. Several new states have been admitted into our Union to the west and south, and territorial governments, happily organized, established over every other portion in which there is vacant land for sale. In terminating Indian hostilities, as must soon be done, in a formidable shape at least, the emigration, which has heretofore been great, will probably increase, and the demand for land, and the augmentation in its value, be in like proportion. The great increase of our population throughout the Union will alone produce an important effect, and in no quarter will it be so sensibly felt as in those in contemplation. The public lands are a public stock, which ought to be disposed of to the best advantage for the nation. The nation should, therefore, derive the profit proceeding from the continual rise in their value. Every encouragement should be given to the emi-

grants, consistent with a fair competition between them; but that competition should operate in the first sale to the advantage of the nation rather than of individuals. Great capitalists will derive all the benefit incident to their superior wealth, under any mode of sale which may be adopted. But if, looking forward to the rise in the value of the public lands, they should have the opportunity of amassing, at a low price, vast bodies in their hands, the profit will accrue to them, and not to the public. They would also have the power, in that degree, to control the emigration and settlement in such a manner as their opinion of their respective interests might dictate. I submit the subject to the consideration of Congress, that such further provision may be made of the sale of the public lands, with a view to the public interest, should any be deemed expedient, as in their judgment may be best adapted to the object.

When we consider the vast extent of territory within the United States, the great amount and value of its productions, the connection of its parts, and other circumstances on which their prosperity and happiness depend, we cannot fail to entertain a high sense of the advantage to be derived from the facility which may be afforded in the intercourse between them, by means of good roads and canals. Never did a country of such vast extent offer equal inducements to improvements of this kind, nor ever were consequences of such magnitude involved in them. As this subject was acted on by Congress at the last session, and there may be a disposition to revive it at present, I have brought it into view for the purpose of communicating my sentiments on a very important circumstance connected with it, with that freedom and candor which a regard for the public interest and a proper respect for Congress require. A difference of opinion has existed from the first formation of our constitution to the present time, among our most enlightened and virtuous citizens, respecting the right of Congress to establish such a system of improvement. Taking into view the trust with which I am now honored, it would be improper, after what has passed, that this discussion should be revived with an uncertainty of my opinion respecting the

right. Disregarding early impressions, I have bestowed on the subject all the deliberation which its great importance, and a just sense of my duty, required, and the result is a settled conviction in my mind that Congress do not possess the right. It is not contained in any of the specified powers granted to Congress, nor can I consider it incidental to, or a necessary mean, viewed on the most liberal scale, for carrying into effect any of the powers which are specifically granted. In communicating this result, I cannot resist the obligation which I feel, to suggest to Congress the propriety of recommending to the states an adoption of an amendment to the constitution, which shall give to Congress the right in question. In cases of doubtful construction, especially of such vital interest, it comports with the nature and origin of our republican institutions, and will contribute much to preserve them, to apply to our constituents for an explicit grant of the power. We may confidently rely, that if it appears to their satisfaction that the power is necessary, it will be granted.

In this case, I am happy to observe, that experience has afforded the most ample proof of its utility, and that the benign spirit of conciliation and harmony, which now manifests itself throughout our Union, promises to such a recommendation the most prompt and favorable result. I think proper to suggest, also, in case this measure is adopted, that it be recommended to the states to include in the amendment sought, a right in Congress to institute, likewise, seminaries of learning, for the all-important purpose of diffusing knowledge among our fellow-citizens throughout the United States.

Our manufactures will require the continued attention of Congress. The capital employed in them is considerable, and the knowledge required in the machinery and fabric of all the most useful manufactures is of great value. Their preservation, which depends on due encouragement, is connected with the high interests of the nation.

Although the progress of the public buildings has been as favorable as circumstances have permitted, it is to be regretted the capitol is not yet in a state to receive you

There is good cause to presume that the two wings, the only parts as yet commenced, will be prepared for that purpose the next session. The time seems now to have arrived, when this subject may be deemed worthy of the attention of Congress, on a scale adequate to national purposes. The completion of the middle building will be necessary to the convenient accommodation of Congress, of the committees, and various officers belonging to it. It is evident that the other public buildings are altogether insufficient for the accommodation of the several executive departments; some of whom are much crowded, and even subject to the necessity of obtaining it in private buildings, at some distance from the head of the department, and with inconvenience to the management of the public business. Most nations have taken an interest and a pride in the improvement and ornament of their metropolis, and none were more conspicuous in that respect than the ancient republics. The policy which dictated the establishment of a permanent residence for the national government, and the spirit in which it was commenced and has been prosecuted, show that such improvement was thought worthy the attention of this nation. Its central position, between the northern and southern extremes of our Union, and its approach to the west, at the head of a great navigable river, which interlocks with the western waters, prove the wisdom of the councils which established it.

Nothing appears to be more reasonable and proper, than that convenient accommodation should be provided, on a well-digested plan, for the heads of the several departments, and for the attorney-general; and it is believed that the public ground in the city, applied to these objects, will be found amply sufficient. I submit this subject to the consideration of Congress, that such provision may be made in it, as to them may seem proper.

In contemplating the happy situation of the United States, our attention is drawn, with peculiar interest, to the surviving officers and soldiers of our revolutionary army, who so eminently contributed, by their services, to lay its foundation. Most of those very meritorious citizens have paid the debt of nature and gone to repose. It

is believed, that among the survivors there are some not provided for by existing laws, who are reduced to indigence, and even to real distress. These men have a claim on the gratitude of their country, and it will do honor to their country to provide for them. The lapse of a few years more, and the opportunity will be forever lost; indeed, so long already has been the interval, that the number to be benefitted by any provision which may be made, will not be great.

It appearing in a satisfactory manner that the revenue arising from imposts and tonnage, and from the sale of public lands, will be fully adequate to the support of the civil government, of the present military and naval establishments, including the annual augmentation of the latter to the extent provided for, to the payment of the interest on the public debt, and to the extinguishment of it at the times authorized, without the aid of the internal taxes, I consider it my duty to recommend to Congress their repeal. To impose taxes when the public exigencies require them, is an obligation of the most sacred character, especially with a free people. The faithful fulfilment of it is among the highest proofs of their virtue and capacity for self-government. To dispense with taxes, when it may be done with perfect safety, is equally the duty of their representatives. In this instance, we have the satisfaction to know that they were imposed when the demand was imperious, and have been sustained with exemplary fidelity. I have to add, that however gratifying it may be to me, regarding the prosperous and happy condition of our country, to recommend the repeal of these taxes at this time, I shall, nevertheless, be attentive to events, and should any future emergency occur, be not less prompt to suggest such measures and burdens as may then be requisite and proper.

J. Q. ADAMS'S INAUGURAL ADDRESS,

MARCH 4, 1825.

In compliance with a usage coeval with the existence of our federal constitution, and sanctioned by the example of my predecessors in the career upon which I am about to enter, I appear, my fellow-citizens, in your presence, and in that of Heaven, to bind myself, by the solemnities of a religious obligation, to the faithful performance of the duties allotted to me, in the station to which I have been called.

In unfolding to my countrymen the principles by which I shall be governed in the fulfilment of those duties, my first resort will be to that constitution, which I shall swear, to the best of my ability, to preserve, protect, and defend. That revered instrument enumerates the powers and prescribes the duties of the executive magistrate; and, in its first words, declares the purposes to which these, and the whole action of the government, instituted by it, should be invariably and sacredly devoted—to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the people of this Union, in their successive generations. Since the adoption of this social compact, one of these generations has passed away. It is the work of our forefathers. Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the world, and through all the vicissitudes of peace and war, incidental to the condition of associated man, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that country, so dear to us all; it has, to an extent far beyond the ordinary lot of humanity, secured the freedom and happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples they have left us, and by the blessings which

we have enjoyed, as the fruits of their labors, to transmit the same, unimpaired, to the succeeding generations.

In the compass of thirty-six years, since this great national covenant was instituted, a body of laws enacted under its authority, and in conformity with its provisions, has unfolded its powers, and carried into practical operation its effective energies. Subordinate departments have distributed the executive functions in their various relations to foreign affairs, to the revenue and expenditures, and to the military force of the Union by land and sea. A co-ordinate department of the judiciary has expounded the constitution and the laws; settling, in harmonious coincidence with the legislative will, numerous weighty questions of construction which the imperfection of human language had rendered unavoidable. The year of jubilee since the first formation of our Union has just elapsed; that of the declaration of independence is at hand. The consummation of both was effected by this constitution. Since that period, a population of four millions has multiplied to twelve. A territory, bounded by the Mississippi, has been extended from sea to sea. New states have been admitted to the Union, in numbers nearly equal to those of the first confederation. Treaties of peace, amity, and commerce, have been concluded with the principal dominions of the earth. The people of other nations, inhabitants of regions acquired, not by conquest but by compact, have been united with us in the participation of our rights and duties, of our burdens and blessings. The forest has fallen by the axe of our woodsman; the soil has been made to teem by the tillage of our farmers; our commerce has whitened every ocean. The dominion of man over physical nature has been extended by the invention of our artists. Liberty and law have marched hand in hand. All the purposes of human association have been accomplished as effectively as under any other government on the globe; and at a cost, little exceeding, in a whole generation, the expenditures of other nations in a single year.

Such is the unexaggerated picture of our condition under a constitution founded upon the republican principle of equal rights. To admit that this picture has its

shades, is but to say that it is still the condition of men upon earth. From evil, physical, moral and political, it is not our claim to be exempt. We have suffered sometimes by the visitation of Heaven, through disease; often by the wrongs and injustices of other nations, even to the extremities of war; and lastly, by dissentions among ourselves—dissentions, perhaps, inseparable from the enjoyment of freedom, but which have more than once appeared to threaten the dissolution of the Union, and, with it, the overthrow of all the enjoyments of our present lot, and all our earthly hopes of the future. The causes of these dissentions have been various, founded upon differences of speculation in the theory of republican government; upon conflicting views of policy, in our relations with foreign nations; upon jealousies of partial and sectional interests, aggravated by prejudices and prepossessions, which strangers to each other are ever apt to entertain.

It is a source of gratification and of encouragement to me, to observe that the great result of this experiment upon the theory of human rights has, at the close of that generation by which it was formed, been crowned with success equal to the most sanguine expectations of its founders. Union, justice, tranquillity, the common defence, the general welfare, and the blessings of liberty, all have been promoted by the government under which we have lived. Standing at this point of time; looking back to that generation which has gone by, and forward to that which is advancing, we may at once indulge in grateful exultation and in cheering hope. From the experience of the past, we derive instructive lessons for the future. Of the two great political parties which have divided the opinions and feelings of our country, the candid and the just will now admit that both have contributed splendid talents, spotless integrity, ardent patriotism and disinterested sacrifices, to the formation and administration of this government; and that both have required a liberal indulgence for a portion of human infirmity and error. The revolutionary wars of Europe, commencing precisely at the moment when the government of the United States first went into operation under this constitution, excited a collision of sentiments and of sympathies, which kin-

dled all the passions, and embittered the conflict of parties, till the nation was involved in war, and the Union was shaken to its centre. This time of trial embraced a period of five-and-twenty years, during which the policy of the Union, in its relations with Europe, constituted the principal basis of our political divisions, and the most arduous part of the action of our federal government. With the catastrophe in which the wars of the French revolution terminated, and our own subsequent peace with Great Britain, this baneful weed of party strife was uprooted. From that time, no difference of principle, connected either with the theory of government, or with our intercourse with foreign nations has existed, or been called forth in force sufficient to sustain a continued combination of parties, or give more than wholesome animation to public sentiment or legislative debate. Our political creed is, without a dissenting voice that can be heard, that the will of the people is the source, and the happiness of the people the end, of all legitimate government upon earth. That the best security for the beneficence, and the best guaranty against the abuse of power, consists in the freedom, the purity, and the frequency of popular elections. That the general government of the Union, and the separate governments of the states, are all sovereignties of legitimated powers; fellow-servants of the same masters, uncontrolled within their respective spheres, uncontrollable by encroachments upon each other. That the firmest security of peace is the preparation during peace of the defences of war. That a rigorous economy, and accountability of public expenditures, should guard against the aggravation, and alleviate, when possible, the burden of taxation. That the military should be kept in strict subordination to the civil power. That the freedom of the press and of religious opinion should be inviolate. That the policy of our country is peace, and the ark of our salvation, union, are articles of faith upon which we are all agreed. If there have been those who doubted whether a confederated representative democracy were a government competent to the wise and orderly management of the common concerns of a mighty nation, those doubts have been dispelled. If

there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered to the winds. If there have been dangerous attachments to one foreign nation, and antipathies against another, they have been extinguished. Ten years of peace, at home and abroad, have assuaged the animosities of political contention, and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the nation, who have heretofore followed the standard of political party. It is that of discarding every remnant of rancor against each other; of embracing as countrymen and friends; and of yielding to talents and virtue alone, that confidence which, in times of contention for principle, was bestowed only upon those who bore the badge of party communion.

The collisions of party spirit, which originate in speculative opinions, or in different views of administrative policy, are in their nature transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life, are more permanent, and therefore perhaps more dangerous. It is this which gives inestimable value to the character of our government, at once federal and national. It holds out to us a perpetual admonition to preserve alike, and with equal anxiety, the rights of each individual state in its own government, and the rights of the whole nation in that of the Union. Whatever is of domestic concealment, unconnected with the other members of the Union, or with foreign lands, belongs exclusively to the administration of the state governments. Whatsoever directly involves the rights and interests of the federative fraternity, or of foreign powers, is of the resort of this general government. The duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail. To respect the rights of the state governments is the inviolable duty of that of the Union; the government of every state will feel its own obligation to respect and preserve the rights of the whole. The prejudices every where too commonly entertained against distant strangers are

worn away, and the jealousies of jarring interests are allayed by the composition and functions of the great national councils annually assembled from all quarters of the Union at this place. Here the distinguished men from every section of our country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents, and do justice to the virtues of each other. The harmony of the nation is promoted, and the whole Union is knit together by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friendship, formed between the representatives of its several parts, in the performance of their service at this metropolis.

Passing from this general review of the purposes and injunctions of the federal constitution, and their results, as indicating the first traces of the path of duty in the discharge of my public trust, I turn to the administration of my immediate predecessor, as the second. It has passed away in a period of profound peace: how much to the satisfaction of our country, and to the honor of our country's name, is known to you all. The great features of its policy, in general concurrence with the will of the legislature, have been—to cherish peace while preparing for defensive war; to yield exact justice to other nations, and maintain the rights of our own; to cherish the principles of freedom and of equal rights, wherever they were proclaimed; to discharge with all possible promptitude the national debt; to reduce within the narrowest limits of efficiency the military force; to improve the organization and discipline of the army; to provide and sustain a school of military science; to extend equal protection to all the great interests of the nation; to promote the civilization of the Indian tribes; and to proceed in the great system of internal improvements within the limits of the constitutional power of the Union. Under the pledge of these promises, made by that eminent citizen, at the time of his first induction to this office, in his career of eight years, the internal taxes have been repealed; sixty millions of the public debt have been discharged; provision has been made for the comfort and relief of the aged and indigent among the surviving warriors of the revolution;

the regular armed force has been reduced, and its constitution revised and perfected; the accountability for the expenditures of public moneys has been made more effective; the Floridas have been peaceably acquired, and our boundary has been extended to the Pacific ocean; the independence of the southern nations of this hemisphere has been recognized, and recommended by example and by counsel to the potentates of Europe; progress has been made in the defence of the country by fortifications, and the increase of the navy—towards the effectual suppression of the African traffic in slaves—in alluring the aboriginal hunters of our land to the cultivation of the soil and of the mind—in exploring the interior regions of the Union, and in preparing, by scientific researches and surveys, for the further application of our national resources to the internal improvement of our country.

In this brief outline of the promise and performance of my immediate predecessor, the line of duty for his successor is clearly delineated. To pursue to their consummation those purposes of improvement in our common condition, instituted or recommended by him, will embrace the whole sphere of my obligations. To the topic of internal improvement, emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that from which I am convinced that the unborn millions of our posterity, who are in future ages to people this continent, will derive their most fervent gratitude to the founders of the Union; that in which the beneficent action of its government will be most deeply felt and acknowledged. The magnificence and splendor of their public works are among the imperishable glories of the ancient republics. The roads and aqueducts of Rome have been the admiration of all after-ages, and have survived thousands of years, after all her conquests have been swallowed up in despotism, or become the spoil of barbarians. Some diversity of opinion has prevailed with regard to the powers of Congress for legislation upon objects of this nature. The most respectful deference is due to doubts, originating in pure patriotism, and sustained by venerated authority. But nearly twenty years have passed since the construction of the first national

road was commenced. The authority for its construction was then unquestioned. To how many thousands of our countrymen has it proved a benefit? To what single individual has it ever proved an injury? Repeated, liberal and candid discussions in the legislature have conciliated the sentiments, and approximated the opinions of enlightened minds, upon the question of constitutional power. I cannot but hope that, by the same process of friendly, patient, and persevering deliberation, all constitutional objections will ultimately be removed. The extent and limitation of the powers of the general government, in relation to this transcendently important interest, will be settled and acknowledged to the common satisfaction of all; and every speculative scruple will be solved by a practical public blessing.

Fellow-citizens, you are acquainted with the peculiar circumstances of the recent elections, which have resulted in affording me the opportunity of addressing you at this time. You have heard the exposition of the principles which will direct me in the fulfilment of the high and solemn trust imposed upon me in this station. Less possessed of your confidence in advance than any of my predecessors, I am deeply conscious of the prospect that I shall stand, more and oftener, in need of your indulgence. Intentions, upright and pure; a heart devoted to the welfare of our country, and the unceasing application of the faculties allotted to me to her service, are all the pledges that I can give to the faithful performance of the arduous duties I am to undertake. To the guidance of the legislative councils; to the assistance of the executive and subordinate departments; to the friendly cooperation of the respective state governments; to the candid and liberal support of the people, so far as it may be deserved by honest industry and zeal, I shall look for whatever success may attend my public service: and knowing that, except the Lord keep the city, the watchman waketh but in vain, with fervent supplications for his favor, to his overruling providence I commit, with humble but fearless confidence, my own fate and the future destinies of my country.

J. Q. ADAMS'S FIRST ANNUAL MESSAGE,

DECEMBER 6, 1825.

To the Senate, and
House of Representatives of the United States:

In taking a general survey of the concerns of our beloved country, with reference to subjects interesting to the common welfare, the first sentiment which impresses itself upon the mind, is of gratitude to the Omnipotent Disposer of all good, for the continuance of the signal blessings of his providence, and especially for that health which, to an unusual extent, has prevailed within our borders; and for that abundance which, in the vicissitudes of the seasons, has been scattered with profusion over our land. Nor ought we less to ascribe to Him the glory, that we are permitted to enjoy the bounties of his hand in peace and tranquillity—in peace with all the other nations of the earth, in tranquillity among ourselves. There has, indeed, rarely been a period in the history of civilized man, in which the general condition of the Christian nations has been marked so extensively by peace and prosperity.

Europe, with a few partial and unhappy exceptions, has enjoyed ten years of peace, during which all her governments, whatever the theory of their constitutions may have been, are successively taught to feel that the end of their institutions is the happiness of the people, and that the exercise of power among men can be justified only by the blessings it confers upon those over whom it is extended.

During the same period, our intercourse with all those nations has been pacific and friendly; it so continues. Since the close of your late session, no material variation has occurred in our relations with any one of them. In the commercial and navigation system of Great Britain, important changes of municipal regulations have recently been sanctioned by the acts of parliament, the effect of which upon the interests of other nations, and particularly upon ours, has not yet been fully developed. In the

recent renewal of the diplomatic missions, on both sides, between the two governments, assurances have been given and received of the continuance and increase of the mutual confidence and cordiality by which the adjustment of many points of difference has already been effected, and which affords the surest pledge for the ultimate satisfactory adjustment of those which still remain open, or may hereafter arise.

The policy of the United States, in their commercial intercourse with other nations, has always been of the most liberal character. In the mutual exchange of their respective productions, they have abstained altogether from prohibitions; they have interdicted themselves the power of laying taxes upon exports, and whenever they have favored their own shipping, by special preferences or exclusive privileges in their own ports, it has been only with a view to countervail similar favors and exclusions granted by the nations with whom we have been engaged in traffic, to their own people or shipping, and to the disadvantage of ours. Immediately after the close of the last war, a proposal was fairly made by the act of Congress of the 3d March, 1815, to all maritime nations, to lay aside the system of retaliating restrictions and exclusions, and to place the shipping of both parties to the common trade on a footing of equality in respect to the duties of tonnage and impost. This offer was partially and successively accepted by Great Britain, Sweden, the Netherlands, the Hanseatic cities, Prussia, Sardinia, the Duke of Oldenburg, and Russia. It was also adopted, under certain modifications, in our late commercial convention with France. And by the act of Congress of the 8th of January, 1824, it has received a new confirmation with all the nations who had acceded to it, and has been offered again to all those who are or may hereafter be willing to abide in reciprocity by it. But all these regulations, whether established by treaty or by municipal enactments, are still subject to one important restriction.

The removal of discriminating duties of tonnage and impost, is limited to articles of the growth, produce, or manufacture of the country to which the vessel belongs, or to such articles as are most universally shipped from

her ports. It will deserve the serious consideration of Congress, whether even this remnant of restriction may not be safely abandoned, and whether the general tender of equal competition, made in the act of 8th January, 1824, may not be extended to include all articles of merchandise not prohibited, of what country soever they may be the produce or manufacture. Propositions to this effect have already been made to us by more than one European government, and it is probable that if once established by legislation or compact with any distinguished maritime state, it would recommend itself, by the experience of its advantages, to the general accession of all.

The convention of commerce and navigation between the United States and France, concluded on the 24th of June, 1822, was, in the understanding and intent of both parties, as appears upon its face, only a temporary arrangement of the points of difference between them of the most immediate and pressing urgency. It was limited, in the first instance, to two years from the first of October, 1822, but with a proviso, that it should further continue in force till the conclusion of a general and definitive treaty of commerce, unless terminated by a notice six months in advance, of either of the parties to the other. Its operation, so far as it extended, has been mutually advantageous; and it still continues in force, by common consent. But it left unadjusted several objects of great interest to the citizens and subjects of both countries, and particularly a mass of claims, to considerable amount, of citizens of the United States upon the government of France, of indemnity for property taken or destroyed, under circumstances of the most aggravated and outrageous character. In the long period during which continued and earnest appeals have been made to the equity and magnanimity of France, in behalf of those claims, their justice has not been, as it could not be, denied. It was hoped that the accession of a new sovereign to the throne, would have afforded a favorable opportunity for presenting them to the consideration of his government. They have been presented and urged, hitherto, without effect. The repeated and earnest representations of our minister at the court of France, remains as

yet even without an answer. Were the demands of nations upon the justice of each other susceptible of adjudication by the decision of an impartial tribunal, those to whom I now refer would long since have been settled, and adequate indemnity would have been obtained. There are large amounts of similar claims upon the Netherlands, Naples, and Denmark. For those upon Spain, prior to 1819, indemnity was, after many years of patient forbearance, obtained, and those of Sweden have been lately compromised by a private settlement, in which the claimants themselves have acquiesced. The governments of Denmark and of Naples have been recently reminded of those yet existing against them; nor will any of them be forgotten while a hope may be indulged of obtaining justice, by the means within the constitutional power of the executive, and without resorting to those means of self-redress, which, as well as the time, circumstances, and occasion, which may require them, are within the exclusive competency of the legislature.

It is with great satisfaction that I am enabled to bear witness to the liberal spirit with which the republic of Colombia has made satisfaction for well-established claims of a similar character. And among the documents now communicated to Congress, will be distinguished a treaty of commerce and navigation with that republic, the ratifications of which have been exchanged since the last recess of the legislature. The negotiation of similar treaties with all the independent South American states, has been contemplated, and may yet be accomplished. The basis of them all, as proposed by the United States, has been laid in two principles; the one, of entire and unqualified reciprocity; the other, the mutual obligation of the parties to place each other permanently on the footing of the most favored nation. These principles are, indeed, indispensable to the effectual emancipation of the American hemisphere from the thraldom of colonizing monopolies and exclusions—an event rapidly realizing in the progress of human affairs, and which the resistance still opposed in certain parts of Europe to the acknowledgment of the Southern American republics as independent states, will, it is believed, contribute more effectually to

accomplish. The time has been, and that not remote, when some of these states might, in their anxious desire to obtain a nominal recognition, have accepted of a nominal independence, clogged with burdensome conditions, and exclusive commercial privileges, granted to the nation from which they have separated, to the disadvantage of all others. They now are all aware that such concessions to any European nation would be incompatible with that independence which they have declared and maintained.

Among the measures which have been suggested to them by the new relations with one another, resulting from the recent changes in their condition, is that of assembling at the Isthmus of Panama, a Congress, at which each of them should be represented, to deliberate upon objects important to the welfare of all. The republics of Colombia, of Mexico, and of Central America, have already deputed plenipotentiaries to such a meeting, and they have invited the United States to be also represented there by their ministers. The invitation has been accepted, and ministers on the part of the United States will be commissioned to attend at those deliberations, and to take part in them, so far as it may be compatible with that neutrality from which it is neither our intention nor the desire of the American states that we should depart.

The commissioners under the seventh article of the treaty of Ghent have so nearly completed their arduous labors, that, by the report recently received from the agent on the part of the United States, there is reason to expect that the commission will be closed at their next session, appointed for the 22d of May, of the ensuing year.

The other commission appointed to ascertain the indemnities due for slaves carried away from the United States, after the close of the late war, have met with some difficulty which has delayed their progress in the inquiry. A reference has been made to the British government on the subject, which, it may be hoped, will tend to hasten the decision of the commissioners, or serve as a substitute for it.

Among the powers specifically granted to Congress by the constitution, are those of establishing uniform laws

on the subject of bankruptcies throughout the United States; and for providing for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States. The magnitude and complexity of the interests affected by legislation upon these subjects, may account for the fact, that long and often as both of them have occupied the attention, and animated the debates of Congress, no systems have yet been devised for fulfilling, to the satisfaction of the community, the duties prescribed by these grants of power. To conciliate the claim of the individual citizen to the enjoyment of personal liberty, with the effective obligation of private contracts, is the difficult problem to be solved by a law of bankruptcy. These are objects of the deepest interest to society; affecting all that is precious in the existence of multitudes of persons, many of them in the classes essentially dependent and helpless; of the age requiring nurture, and of the sex entitled to protection from the free agency of the parent and the husband. The organization of the militia is yet more indispensable to the liberties of the country. It is only by an effective militia that we can at once enjoy the repose of peace, and bid defiance to foreign aggression; it is by the militia that we are constituted an armed nation, standing in perpetual panoply of defence, in the presence of all the other nations of the earth. To this end, it would be necessary, if possible, so to shape its organization, as to give it a more united and active energy. There are laws for establishing a uniform militia throughout the United States, and for arming and equipping its whole body. But it is a body of dislocated members, without the vigor of unity, and having little of uniformity but the name. To infuse into this most important institution the power of which it is susceptible, and to make it available for the defence of the Union, at the shortest notice, and at the smallest expense possible of time, of life, and of treasure, are among the benefits to be expected from the persevering deliberations of Congress.

Among the unequivocal indications of our national prosperity, is the flourishing state of our finances. The revenues of the present year, from all their principal sour-

ces, will exceed the anticipations of the last. The balance in the treasury on the first of January last, was a little short of two millions of dollars, exclusive of two millions and a half, being a moiety of the loan of five millions, authorized by the act of the 26th May, 1824. The receipts into the treasury from the first of January to the 30th of September, exclusive of the other moiety of the same loan, are estimated at sixteen millions five hundred thousand dollars; and it is expected that those of the current quarter will exceed five millions of dollars; forming an aggregate of receipts of nearly twenty-two millions, independent of the loan. The expenditures of the year will not exceed that sum more than two millions. By those expenditures, nearly eight millions of the principal of the public debt have been discharged. More than a million and a half has been devoted to the debt of gratitude to the warriors of the revolution; a nearly equal sum to the construction of fortifications and the acquisition of ordnance, and other permanent preparations of national defence; half a million to the gradual increase of the navy; an equal sum for purchases of territory from the Indians, and payment of annuities to them; and upwards of a million for objects of internal improvement, authorized by special acts of the last Congress. If we add to these, four millions of dollars for payment of interest upon the public debt, there remains a sum of about seven millions, which have defrayed the whole expense of the administration of government, in its legislative, executive, and judiciary departments, including the support of the military and naval establishments, and all the occasional contingencies of a government co-extensive with the Union.

The amount of duties secured on merchandise imported, since the commencement of the year, is about twenty-five millions and a half; and that which will accrue during the current quarter, is estimated at five millions and a half; from these thirty-one millions, deducting the drawbacks, estimated at less than seven millions, a sum exceeding twenty-four millions will constitute the revenue of the year, and will exceed the whole expenditures of the year. The entire amount of the public debt remaining due on

the first of January next, will be short of eighty-one millions of dollars.

By an act of Congress of the 3d of March last, a loan of twelve millions of dollars was authorized at four and a half per cent., or an exchange of stock to that amount, of four and a half per cent., for a stock of six per cent., to create a fund for extinguishing an equal amount of the public debt, bearing an interest of six per cent., redeemable in 1826. An account of the measures taken to give effect to this act will be laid before you by the Secretary of the Treasury. As the object which it had in view has been but partially accomplished, it will be for the consideration of Congress, whether the power with which it clothed the executive should not be renewed at an early day of the present session, and under what modifications.

The act of Congress of the 3d of March last, directing the Secretary of the Treasury to subscribe, in the name and for the use of the United States, for one thousand five hundred shares of the capital stock of the Chesapeake and Delaware Canal company, has been executed by the actual subscription for the amount specified; and such other measures have been adopted by that officer, under the act, as the fulfilment of its intentions requires. The latest accounts received of this important undertaking, authorize the belief that it is in successful progress.

The payments into the treasury from proceeds of the sales of the public lands, during the present year, were estimated at one million of dollars. The actual receipts of the first two quarters have fallen very little short of that sum: it is not expected that the second half of the year will be equally productive; but the income of the year, from that source, may now be safely estimated at a million and a half. The act of Congress of the 18th of May, 1824, to provide for the extinguishment of the debt due to the United States by the purchasers of public lands, was limited, in its operation of relief to the purchaser, to the 10th of April last. Its effect at the end of the quarter during which it expired, was to reduce that debt from ten to seven millions. By the operation of similar prior laws of relief, from and since that of 2d March, 1821, the debt had been reduced from upwards of twenty-two

millions to ten. It is exceedingly desirable that it should be extinguished altogether; and to facilitate that consummation, I recommend to Congress the revival, for one year more, of the act of 18th May, 1824, with such provisional modification as may be necessary to guard the public interests against fraudulent practices in the re-sale of relinquished land. The purchasers of public lands are among the most useful of our fellow-citizens; and, since the system of sales for cash alone has been introduced, great indulgence has been justly extended to those who had previously purchased upon credit. The debt which had been contracted under the credit sales had become unwieldy, and its extinction was alike advantageous to the purchaser and the public. Under the system of sales, matured as it has been by experience, and adapted to the exigencies of the times, the lands will continue, as they have become, an abundant source of revenue; and when the pledge of them to the public creditor shall have been redeemed, by the entire discharge of the national debt, the swelling tide of wealth with which they replenish the common treasury, may be made to reflow in unfailing streams of improvement, from the Atlantic to the Pacific ocean.

The condition of the various branches of the public service resorting from the Department of War, and their administration during the current year, will be exhibited in the report of the Secretary of War, and the accompanying documents, herewith communicated. The organization and discipline of the army are effective and satisfactory. To counteract the prevalence of desertion among the troops, it has been suggested to withhold from the men a small portion of their monthly pay, until the period of their discharge; and some expedient appears to be necessary, to preserve and maintain among the officers so much of the art of horsemanship as could scarcely fail to be found wanting on the possibly sudden eruption of a war, which should overtake us unprovided with a single corps of cavalry. The Military Academy at West Point, under the restrictions of a severe but paternal superintendence, recommends itself more and more to the patronage of the nation; and the number of meritorious officers which it forms and introduces to the public ser-

vice, furnishes the means of multiplying the undertaking of public improvements, to which their acquirements at that institution are peculiarly adapted. The school of artillery practice, established at Fortress Monroe, is well suited to the same purpose, and may need the aid of further legislative provision to the same end. The reports of the various officers at the head of the administrative branches of the military service, connected with the quartering, clothing, subsistence, health and pay of the army, exhibit the assiduous vigilance of those officers in the performance of their respective duties, and the faithful accountability which has pervaded every part of the system.

Our relations with the numerous tribes of aboriginal natives of this country, scattered over its extensive surface, and so dependent, even for their existence, upon our power, have been during the present year highly interesting. An act of Congress of the 25th of May, 1824, made an appropriation to defray the expenses of making treaties of trade and friendship with the Indian tribes beyond the Mississippi. An act of the 3d of March, 1825, authorized treaties to be made with the Indians for their consent to the making of a road from the frontier of Missouri to that of New Mexico. And another act, of the same date, provided for defraying the expenses of holding treaties with the Sioux, Chippewas, Menomonees, Sacs, Foxes, &c. for the purpose of establishing boundaries and promoting peace between said tribes. The first and the last objects of these acts have been accomplished; and the second is yet in a process of execution. The treaties which, since the last session of Congress, have been concluded with the several tribes, will be laid before the Senate for their consideration, conformably to the constitution. They comprise large and valuable acquisitions of territory; and they secure an adjustment of boundaries, and give pledges of permanent peace between several tribes which had been long waging bloody wars against each other.

On the 12th of February last, a treaty was signed at the Indian Springs, between commissioners appointed on the part of the United States, and certain chiefs and indi-

viduals of the Creek nation of Indians, which was received at the seat of government only a very few days before the close of the last session of Congress and of the late administration. The advice and consent of the Senate was given to it on the 3d of March, too late for it to receive the ratification of the then President of the United States: it was ratified on the 7th of March, under the unsuspecting impression that it had been negotiated in good faith and in the confidence inspired by the recommendation of the Senate. The subsequent transactions in relation to this treaty will form the subject of a separate communication.

The appropriations made by Congress for public works, as well in the construction of fortifications, as for purposes of internal improvement, so far as they have been expended, have been faithfully applied. Their progress has been delayed by the want of suitable officers for superintending them. An increase of both the corps of engineers, military and topographical, was recommended by my predecessor at the last session of Congress. The reasons upon which that recommendation was founded, subsist in all their force, and have acquired additional urgency since that time. It may also be expedient to organize the topographical engineers into a corps similar to the present establishment of the corps of engineers. The Military Academy at West Point will furnish, from the cadets annually graduated there, officers well qualified for carrying this measure into effect.

The board of engineers for internal improvement, appointed for carrying into execution the act of Congress of 30th April, 1824, "to procure the necessary surveys, plans and estimates, on the subject of roads and canals," have been actively engaged in that service from the close of the last session of Congress. They have completed the surveys necessary for ascertaining the practicability of a canal from the Chesapeake bay to the Ohio river, and are preparing a full report on that subject, which, when completed, will be laid before you. The same observation is to be made with regard to the two other objects of national importance, upon which the board have been occupied; namely, the accomplishment of a nation-

al road from this city to New Orleans, and the practicability of uniting the waters of Lake Memphremagog with Connecticut river, and the improvement of the navigation of that river. The surveys have been made, and are nearly completed. The report may be expected at an early period during the present session of Congress.

The acts of Congress of the last session, relative to the surveying, marking, or laying out roads in the territory of Florida, Arkansas, and Michigan, from Missouri to Mexico, and for the continuation of the Cumberland road, are, some of them, fully executed, and others in the process of execution. Those for completing or commencing fortifications, have been delayed only so far as the corps of engineers have been inadequate to furnish officers for the necessary superintendence of the works. Under the act confirming the statutes of Virginia and Maryland, incorporating the Chesapeake and Ohio Canal Company, three commissioners on the part of the United States have been appointed for opening books and receiving subscriptions, in concert with a like number of commissioners appointed on the part of each of those states. A meeting of the commissioners has been postponed, to await the definitive report of the board of engineers. The lighthouses and monuments for the safety of our commerce and mariners; the works for the security of Plymouth Beach, and for the preservation of the islands in Boston harbor, have received the attention required by the laws relating to those objects, respectively. The continuation of the Cumberland road, the most important of them all, after surmounting no inconsiderable difficulty in fixing upon the direction of the road, has commenced under the most promising auspices, with the improvements of recent invention in the mode of construction, and with the advantage of a great reduction in the comparative cost of the work.

The operation of the laws relating to the revolutionary pensioners may deserve the renewed consideration of Congress. The act of the 18th March, 1818, while it made provision for many meritorious and indigent citizens who had served in the war of independence, opened a door to numerous abuses and impositions. To remedy

this, the act of 1st May, 1820, exacted proofs of absolute indigence, which many really in want were unable, and all, susceptible of that delicacy which is allied to many virtues, must be deeply reluctant to give. The result has been, that some among the least deserving have been retained, and some in whom the requisites both of worth and want were combined, have been stricken from the list. As the numbers of these venerable relics of an age gone by, diminish; as the decays of body, mind and estate, of those that survive, must, in the common course of nature, increase; should not a more liberal portion of indulgence be dealt out to them? May not the want in most instances be inferred from the demand, when the service can be duly proved; and may not the last days of human infirmity be spared the mortification of purchasing a pittance of relief, only by the exposure of its own necessities? I submit to Congress the expediency of providing for individual cases of this description, by special enactment, or of revising the act of the 1st of May, 1820, with a view to mitigate the rigor of its exclusions, in favor of persons to whom charity, now bestowed, can scarcely discharge the debt of justice.

The portion of the naval force of the Union, in actual service, has been chiefly employed on three stations: the Mediterranean, the coasts of South America bordering on the Pacific ocean, and the West Indies. An occasional cruiser has been sent to range along the African shores most polluted by the traffic of slaves; one armed vessel has been stationed on the coast of our eastern boundary, to cruise along the fishing grounds in Hudson's Bay, and on the coast of Labrador; and the first service of a new frigate has been performed, in restoring to his native soil and domestic enjoyments, the veteran hero whose youthful blood and treasure had freely flowed in the cause of our country's independence, and whose whole life has been a series of services and sacrifices to the improvement of his fellow-men. The visit of General Lafayette, alike honorable to himself and to our country, closed, as it had commenced, with the most affecting testimonials of devoted attachment on his part, and of unbounded gratitude of this people to him in return. It will form,

hereafter, a pleasing incident in the annals of our Union, giving to real history the intense interest of romance, and signally marking the unpurchasable tribute of a great nation's social affections to the disinterested champion of the liberties of human kind.

The constant maintenance of a small squadron in the Mediterranean, is a necessary substitute for the humiliating alternative of paying tribute for the security of our commerce in that sea, and for a precarious peace, at the mercy of every caprice of four Barbary states, by whom it was liable to be violated. An additional motive for keeping a respectable force stationed there at this time, is found in the maritime war raging between the Greeks and the Turks; and in which the neutral navigation of this Union is always in danger of outrage and depredation. A few instances have occurred of such depredations upon our merchant vessels by privateers or pirates wearing the Grecian flag, but without real authority from the Greek or any other government. The heroic struggles of the Greeks themselves, in which our warmest sympathies as freemen and Christians have been engaged, have continued to be maintained with vicissitudes of success adverse and favorable.

Similar motives have rendered expedient the keeping of a like force on the coasts of Peru and Chili, on the Pacific. The irregular and convulsive character of the war upon the shores, has been extended to the conflicts upon the ocean. An active warfare has been kept up for years, with alternate success, though generally to the advantage of the American patriots. But their naval forces have not always been under the control of their own governments. Blockades, unjustifiable upon any acknowledged principles of international law, have been proclaimed by officers in command; and though disavowed by the supreme authorities, the protection of our own commerce against them has been made a cause of complaint and erroneous imputations against some of the most gallant officers of our navy. Complaints equally groundless have been made by the commanders of the Spanish royal forces in those seas; but the most effective protection to our commerce has been the flag and the firmness

of our own commanding officers. The cessation of the war, by the complete triumph of the patriot cause, has removed, it is hoped, all cause of dissention with one party, and all vestige of force of the other. But an unsettled coast of many degrees of latitude, forming a part of our own territory, and a flourishing commerce and fishery, extending to the islands of the Pacific and to China, still require that the protecting power of the Union should be displayed under its flag, as well upon the ocean as upon the land.

The objects of the West Indies squadron have been, to carry into execution the laws for the suppression of the African slave trade; for the protection of our commerce against vessels of piratical character, though bearing commissions from either of the belligerent parties; for its protection against open and unequivocal pirates. These objects, during the present year, have been accomplished more effectually than at any former period. The African slave trade has long been excluded from the use of our flag; and if some few citizens of our country have continued to set the laws of the Union, as well as those of nature and humanity, at defiance, by persevering in that abominable traffic, it has been only by sheltering themselves under the banners of other nations, less earnest for the total extinction of the trade than ours. The irregular privateers have, within the last year, been in a great measure banished from those seas; and the pirates, for months past, appear to have been almost entirely swept away from the borders and the shores of the two Spanish islands in those regions. The active, persevering, and unremitted energy of Captain Warrington, and of the officers and men under his command, on that trying and perilous service, have been crowned with signal success, and are entitled to the approbation of their country. But experience has shown that not even a temporary suspension or relaxation from assiduity can be indulged on that station without reproducing piracy and murder in all their horrors; nor is it probable that, for years to come, our immensely valuable commerce in those seas can navigate in security, without the steady continuance of an armed force devoted to its protection.

It were indeed a vain and dangerous illusion to believe that in the present or probable condition of human society, a commerce so extensive and so rich as ours could exist and be pursued in safety, without the continual support of a military marine—the only arm by which the power of this confederacy can be estimated or felt by foreign nations, and the only standing military force which can never be dangerous to our own liberties at home. A permanent naval peace establishment, therefore, adapted to our present condition, and adaptable to that gigantic growth with which the nation is advancing in its career, is among the subjects which have already occupied the foresight of the last Congress, and which will deserve your serious deliberations. Our navy, commenced at an early period of our present political organization, upon a scale commensurate with the incipient energies, the scanty resources, and the comparative indigence of our infancy, was even then found adequate to cope with all the powers of Barbary, save the first, and with one of the principal maritime powers of Europe.

At a period of further advancement, but with little accession of strength, it not only sustained with honor the most unequal of conflicts, but covered itself and our country with unfading glory. But it is only since the close of the late war that, by the numbers and force of the ships of which it was composed, it could deserve the name of a navy. Yet it retains nearly the same organization as when it consisted of only five frigates. The rules and regulations by which it is governed earnestly call for revision; and the want of a naval school of instruction, corresponding with the Military Academy at West Point, for the formation of scientific and accomplished officers, is felt with daily increasing aggravation.

The act of Congress of 26th of May, 1824, authorizing an examination and survey of the harbor of Charleston, in South Carolina, of St. Mary's, in Georgia, and of the coast of Florida, and for other purposes, has been executed so far as the appropriation would admit. Those of the third of March last, authorizing the establishment of a navy yard and depot on the coast of Florida, in the Gulf of Mexico, and authorizing the building of

ten sloops of war, and for other purposes, are in the course of execution: for the particulars of which and other objects connected with this department, I refer to the report of the Secretary of the Navy herewith communicated.

A report from the Postmaster-general is also submitted, exhibiting the present flourishing condition of that department. For the first time for many years, the receipts for the year ending on the first of July last, exceeded the expenditures during the same period, to the amount of more than forty-five thousand dollars. Other facts, equally creditable to the administration of this department, are, that in two years from the first of July, 1823, an improvement of more than one hundred and eighty-five thousand dollars, in its pecuniary affairs, has been realized; that, in the same interval, the increase of the transportation of the mail has exceeded one million five hundred thousand miles annually; and that one thousand and forty new post-offices have been established. It hence appears, that under judicious management, the income from this establishment may be relied on as fully adequate to defray its expenses; and that, by the discontinuance of post roads, altogether unproductive, others of more useful character may be opened, till the circulation of the mail shall keep pace with the spread of our population, and the comforts of friendly correspondence, the exchanges of internal traffic, and the lights of the periodical press, shall be distributed to the remotest corners of the Union, at a charge scarcely perceptible to any individual, and without the cost of a dollar to the public treasury.

Upon this first occasion of addressing the legislature of the Union, with which I have been honored, in presenting to their view the execution, so far as it has been effected, of the measures sanctioned by them, for promoting the internal improvement of our country, I cannot close the communication without recommending to their calm and persevering consideration the general principle in a more enlarged extent. The great object of the institution of civil government is the improvement of the condition of those who are parties to the social

compact. And no government, in whatever form constituted, can accomplish the lawful ends of its institution, but in proportion as it improves the condition of those over whom it is established. Roads and canals, by multiplying and facilitating the communications and intercourse between distant regions and multitudes of men, are among the most important means of improvement. But moral, political and intellectual improvement, are duties assigned by the Author of our existence, to social, no less than to individual man. For the fulfilment of those duties, governments are invested with power; and, to the attainment of the end, the progressive improvement of the condition of the governed, the exercise of delegated powers is a duty as sacred and indispensable, as the usurpation of powers not granted is criminal and odious. Among the first, perhaps the very first instrument for the improvement of the condition of men, is knowledge; and to the acquisition of much of the knowledge adapted to the wants, the comforts, and enjoyments of human life, public institutions and seminaries of learning are essential. So convinced of this was the first of my predecessors in this office, now first in the memory as, living, he was first in the hearts of our country, that once and again, in his addresses to the Congresses with whom he co-operated in the public service, he earnestly recommended the establishment of seminaries of learning, to prepare for all the emergencies of peace and war—a national university, and a military academy. With respect to the latter, had he lived to the present day, in turning his eyes to the institution at West Point, he would have enjoyed the gratification of his most earnest wishes. But, in surveying the city which has been honored with his name, he would have seen the spot of earth which he had destined and bequeathed to the use and benefit of his country as the site for a university, still bare and barren.

In assuming her station among the civilized nations of the earth, it would seem that our country had contracted the engagement to contribute her share of mind, of labor, and of expense, to the improvement of those parts of knowledge which lie beyond the reach of individual

acquisition; and particularly to geographical and astronomical science. Looking back to the history only of half the century since the declaration of our independence, and observing the generous emulation with which the governments of France, Great Britain, and Russia, have devoted the genius, the intelligence, the treasures of their respective nations, to the common improvement of the species in these branches of science, is it not incumbent upon us to inquire whether we are not bound by obligations of a high and honorable character to contribute our portion of energy and exertion to the common stock? The voyages of discovery prosecuted in the course of that time at the expense of those nations, have not only redounded to their glory, but to the improvement of human knowledge. We have been partakers of that improvement, and owe for it a sacred debt, not only of gratitude, but of equal or proportional exertion in the same common cause. Of the cost of these undertakings, if the mere expenditures of outfit, equipment, and completion of the expeditions, were to be considered the only charges, it would be unworthy of a great and generous nation to take a second thought. One hundred expeditions of circumnavigation, like those of Cook and La Perouse, would not burden the exchequer of the nation fitting them out, so much as the ways and means of defraying a single campaign in war. But if we take into the account the lives of those benefactors of mankind, of which their services in the cause of their species were the purchase, how shall the cost of those heroic enterprises be estimated? And what compensation can be made to them, or to their countries for them? Is it not by bearing them in affectionate remembrance? Is it not still more by imitating their example? by enabling countrymen of our own to pursue the same career, and to hazard their lives in the same cause?

On inviting the attention of Congress to the subject of internal improvements, upon a view thus enlarged, it is not my design to recommend the equipment of an expedition for circumnavigating the globe for purposes of scientific research and inquiry. We have objects of useful investigation nearer home, and to which our cares

may be more beneficially applied. The interior of our own territories has yet been very imperfectly explored. Our coasts, along many degrees of latitude upon the shores of the Pacific ocean, though much frequented by our spirited commercial navigators, have been barely visited by our public ships. The river of the west, first fully discovered and navigated by a countryman of our own, still bears the name of the ship in which he ascended its waters, and claims the protection of our armed national flag at its mouth. With the establishment of a military post there, or at some other point of that coast, recommended by my predecessor, and already matured in the deliberations of the last Congress, I would suggest the expediency of connecting the equipment of a public ship for the exploration of the whole north-west coast of this continent.

The establishment of a uniform standard of weights and measures, was one of the specific objects contemplated in the formation of our constitution; and to fix that standard was one of the powers delegated by express terms, in that instrument, to Congress. The governments of Great Britain and France have scarcely ceased to be occupied with inquiries and speculations on the same subject, since the existence of our constitution; and with them it has expanded into profound, laborious, and expensive researches into the figure of the earth, and the comparative length of the pendulum vibrating seconds in various latitudes, from the equator to the pole. These researches have resulted in the composition and publication of several works highly interesting to the cause of science. The experiments are yet in the process of performance. Some of them have recently been made on our own shores, within the walls of one of our own colleges, and partly by one of our own fellow-citizens. It would be honorable to our country if the sequel of the same experiments should be countenanced by the patronage of our government, as they have hitherto been by those of France and Great Britain.

Connected with the establishment of a university, or separate from it, might be undertaken the erection of an astronomical observatory, with provision for the support

of an astronomer, to be in constant attendance of observation upon the phenomena of the heavens; and for the periodical publication of his observations. It is with no feeling of pride, as an American, that the remark may be made, that, on the comparatively small territorial surface of Europe, there are existing upwards of one hundred and thirty of these light-houses of the skies; while throughout the whole American hemisphere there is not one. If we reflect a moment upon the discoveries which, in the last four centuries, have been made in the physical constitution of the universe, by the means of these buildings, and of observers stationed in them, shall we doubt of their usefulness to every nation? And while scarcely a year passes over our heads without bringing some new astronomical discovery to light, which we must fain receive at second hand from Europe, are we not cutting ourselves off from the means of returning light for light, while we have neither observatory nor observer upon our half of the globe, and the earth revolves in perpetual darkness to our unsearching eyes?

When, on the 25th of October, 1791, the first President of the United States announced to Congress the result of the first enumeration of the inhabitants of this Union, he informed them that the returns gave the pleasing assurance that the population of the United States bordered on four millions of persons. At the distance of thirty years from that time, the last enumeration, five years since completed, presented a population bordering on ten millions. Perhaps of all the evidences of a prosperous and happy condition of human society, the rapidity of the increase of population is the most unequivocal. But the demonstration of our prosperity rests not alone upon this indication. Our commerce, our wealth, and the extent of our territories have increased in corresponding proportions; and the number of independent communities, associated in our federal Union, has, since that time, nearly doubled. The legislative representation of the states and people, in the two houses of Congress, has grown with the growth of their constituent bodies. The House, which then consisted of sixty-five members, now numbers upwards of two hundred. The Senate,

which consisted of twenty-six members, has now forty-eight. But the executive, and still more the judiciary departments, are yet in a great measure confined to their primitive organization, and are now not adequate to the urgent wants of a still growing community.

The naval armaments, which at an early period forced themselves upon the necessities of the Union, soon led to the establishment of a department of the navy. But the departments of foreign affairs and of the interior, which, early after the formation of the government, had been united in one, continue so united to this time, to the unquestionable detriment of the public service. The multiplication of our relations with the nations and governments of the old world, has kept pace with that of our population and commerce, while, within the last ten years, a new family of nations, in our own hemisphere, has arisen among the inhabitants of the earth, with whom our intercourse, commercial and political, would, of itself, furnish occupation to an active and industrious department. The constitution of the judiciary, experimental and imperfect as it was, even in the infancy of our existing government, is yet more inadequate to the administration of national justice at our present maturity. Nine years have elapsed since a predecessor in this office, now not the last, the citizen who perhaps of all others throughout the Union, contributed most to the formation and establishment of our constitution, in his valedictory address to Congress, immediately preceding his retirement from public life, urgently recommended the revision of the judiciary, and the establishment of an additional executive department. The exigencies of the public service and its unavoidable deficiencies, as now in exercise, have added yearly cumulative weight to the considerations presented by him as persuasive to the measure; and in recommending it to your deliberations, I am happy to have the influence of his high authority in aid of the undoubting convictions of my own experience.

The laws relating to the administration of the Patent Office are deserving of much consideration, and perhaps susceptible of some improvement. The grant of power to regulate the action of Congress on this subject, has

specified both the end to be obtained and the means by which it is to be effected, "to promote the progress of science and the useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries." If an honest pride might be indulged in the reflection, that on the records of that office are already found inventions, the usefulness of which has scarcely been transcended in the annals of human ingenuity, would not its exultation be allayed by the inquiry, whether the laws have effectively insured to the inventors the reward destined to them by the constitution—even a limited term of exclusive right to their discoveries?

On the 24th of December, 1799, it was resolved by Congress, that a marble monument should be erected by the United States, in the capitol, at the city of Washington; that the family of General Washington should be requested to permit his body to be deposited under it; and that the monument be so designed as to commemorate the great events of his military and political life. In reminding Congress of this resolution, and that the monument contemplated by it remains yet without execution, I shall indulge only the remarks, that the works at the capitol are approaching to completion; that the consent of the family, desired by the resolution, was requested and obtained; that a monument has been recently erected in this city, over the remains of another distinguished patriot of the revolution; and that a spot has been reserved within the walls where you are deliberating for the benefit of this and future ages, in which the mortal remains may be deposited of him whose spirit hovers over you, and listens with delight to every act of the representatives of his nation which can tend to exalt and adorn his and their country.

The constitution under which you are assembled, is a charter of limited powers. After full and solemn deliberation upon all or any of the objects which, urged by an irresistible sense of my own duty, I have recommended to your attention, should you come to the conclusion, that, however desirable in themselves, the enactment of laws for effecting them would transcend the powers committed

to you by that venerable instrument which we are all bound to support; let no consideration induce you to assume the exercise of powers not granted to you by the people. But if the power to exercise exclusive legislation, in all cases whatsoever, over the District of Columbia; if the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; if the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; to fix the standard of weights and measures; to establish post-offices and post-roads; to declare war; to raise and support armies; to provide and maintain a navy; to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and to make all laws which shall be necessary and proper for carrying these powers into execution: if these powers, and others enumerated in the constitution, may be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation and encouragement of the mechanic and of the elegant arts, the advancement of literature, and the progress of the sciences, ornamental and profound; to refrain from exercising them for the benefit of the people themselves, would be to hide in the earth the talent committed to our charge—would be treachery to the most sacred of trusts.

The spirit of improvement is abroad upon the earth. It stimulates the hearts and sharpens the faculties, not of our fellow-citizens alone, but of the nations of Europe, and of their rulers. While dwelling with pleasing satisfaction upon the superior excellence of our political institutions, let us not be unmindful that liberty is power; that the nation blessed with the largest portion of liberty, must, in proportion to its numbers, be the most powerful nation upon earth; and that the tenure of power by man is, in the moral purposes of his Creator, upon condition that it shall be exercised to ends of beneficence, to improve the condition of himself and his fellow-men. While foreign nations, less blessed with that freedom which is power than ourselves, are advancing with gigan-

tic strides in the career of public improvement; were we to slumber in indolence, or fold up our arms and proclaim to the world that we are palsied by the will of our constituents, would it not be to cast away the bounties of Providence, and doom ourselves to perpetual inferiority? In the course of the year now drawing to its close, we have beheld, under the auspices and expense of one state in our Union, a new university unfolding its portals to the sons of science, and holding up the torch of human improvement to eyes that seek the light. We have seen under the persevering and enlightened enterprise of another state, the waters of our western lakes mingle with those of the ocean. If undertakings like these have been accomplished in the compass of a few years, by the authority of single members of our confederation, can we, the representative authorities of the whole Union, fall behind our fellow-servants in the exercise of the trust committed to us for the benefit of our common sovereign, by the accomplishment of works important to the whole, and to which neither the authority nor the resources of any one state can be adequate?

Finally, fellow-citizens, I shall await, with cheering hope and faithful co-operation, the result of your deliberations; assured that, without encroaching upon the powers reserved to the authorities of the respective states, or to the people, you will, with a due sense of your obligations to your country, and of the high responsibilities weighing upon yourselves, give efficacy to the means committed to you for the common good. And may He who searches the hearts of the children of men, prosper your exertions to secure the blessings of peace and promote the highest welfare of our country.

JACKSON'S INAUGURAL ADDRESS,

MARCH 4, 1829.

Fellow-Citizens:

About to undertake the arduous duties that I have been appointed to perform, by the choice of a free people, I avail myself of this customary and solemn occasion to express the gratitude which their confidence inspires, and to acknowledge the accountability which my situation enjoins. While the magnitude of their interests convinces me that no thanks can be adequate to the honor they have conferred, it admonishes me that the best return I can make, is the zealous dedication of my humble abilities to their service and their good.

As the instrument of the federal constitution, it will devolve upon me, for a stated period, to execute the laws of the United States; to superintend their foreign and confederate relations; to manage their revenue; to command their forces; and, by communications to the legislature, to watch over and to promote their interests generally. And the principles of action by which I shall endeavor to accomplish this circle of duties, it is now proper for me briefly to explain.

In administering the laws of Congress, I shall keep steadily in view the limitations as well as the extent of the executive power, trusting thereby to discharge the functions of my office, without transcending its authority. With foreign nations it will be my study to preserve peace, and to cultivate friendship on fair and honorable terms; and in the adjustment of any differences that may exist or arise, to exhibit the forbearance becoming a powerful nation, rather than the sensibility belonging to a gallant people.

In such measures as I may be called on to pursue, in regard to the rights of the separate states, I hope to be animated by a proper respect for those sovereign members of our Union; taking care not to confound the powers they have reserved to themselves with those they have granted to the confederacy.

The management of the public revenue—that searching operation of all governments—is among the most delicate and important trusts in ours; and it will, of course, demand no inconsiderable share of my official solicitude. Under every aspect in which it can be considered, it would appear that advantage must result from the observance of a strict and faithful economy. This I shall aim at the more anxiously, both because it will facilitate the extinguishment of the national debt, the unnecessary duration of which is incompatible with real independence, and because it will counteract that tendency to public and private profligacy which a profuse expenditure of money by the government is but too apt to engender. Powerful auxiliaries to the attainment of this desirable end, are to be found in the regulations provided by the wisdom of Congress for the specific appropriation of public money, and the prompt accountability of public officers. With regard to a proper selection of the subjects of impost, with a view to revenue, it would seem to me that the spirit of equity, caution, and compromise, in which the constitution was formed, requires that the great interests of agriculture, commerce and manufactures, should be equally favored, and that perhaps the only exception to this rule should consist in the peculiar encouragement of any products of either of them that may be found essential to our national independence.

Internal improvement and the diffusion of knowledge, so far as they can be promoted by the constitutional acts of the federal government, are of high importance.

Considering standing armies as dangerous to free governments in time of peace, I shall not seek to enlarge our present establishment, nor to disregard that salutary lesson of political experience which teaches that the military should be held subordinate to the civil power. The gradual increase of our navy, whose flag has displayed, in distant climes, our skill in navigation, and our fame in arms; the preservation of our forts, arsenals, and dockyards; and the introduction of progressive improvements in the discipline and science of both branches of our military service, are so plainly prescribed by prudence that I should be excused for omitting their mention, soon-

er than enlarging on their importance. But the bulwark of our defence is the national militia, which, in the present state of our intelligence and population, must render us invincible. As long as our government is administered for the good of the people, and is regulated by their will; as long as it secures to us the right of person and property, liberty of conscience, and of the press, it will be worth defending; and so long as it is worth defending, a patriotic militia will cover it with an impenetrable ægis. Partial injuries and occasional mortifications we may be subjected to; but a million of armed freemen, possessed of the means of war, can never be conquered by a foreign foe. To any just system, therefore, calculated to strengthen this natural safeguard of the country, I shall cheerfully lend all the aid in my power.

It will be my sincere and constant desire to observe towards the Indian tribes within our limits, a just and liberal policy; and to give that humane and considerate attention to their rights and their wants, which are consistent with the habits of our government and the feelings of our people.

The recent demonstration of public sentiment inscribes on the list of executive duties, in characters too legible to be overlooked, the task of reform; which will require, particularly the correction of those abuses that have brought the patronage of the federal government into conflict with the freedom of elections, and the counteraction of those causes which have disturbed the rightful course of appointment, and have placed or continued power in unfaithful or incompetent hands.

In the performance of a task thus generally delineated, I shall endeavor to select men whose diligence and talents will insure, in their respective stations, able and faithful co-operation—depending for the advancement of the public service, more on the integrity and zeal of the public officers, than on their numbers.

A diffidence, perhaps too just, in my own qualifications, will teach me to look with reverence to the examples of public virtue left by my illustrious predecessors, and with veneration to the lights that flow from the mind that founded and the mind that reformed our system. The same

diffidence induces me to hope for instruction and aid from the co-ordinate branches of the government, and for the indulgence and support of my fellow-citizens generally. And a firm reliance on the goodness of that Power whose providence mercifully protected our national infancy, and has since upheld our liberties in various vicissitudes, encourages me to offer up my ardent supplications that He will continue to make our beloved country the object of his divine care and gracious benediction.

JACKSON'S FIRST ANNUAL MESSAGE,

DECEMBER 8, 1829.

Fellow-Citizens of the Senate,
and House of Representatives:

It affords me pleasure to tender my friendly greetings to you on the occasion of your assembling at the seat of government, to enter upon the important duties to which you have been called by the voice of our countrymen. The task devolves on me, under a provision of the constitution, to present to you, as the federal legislature of twenty-four sovereign states, and twelve millions of happy people, a view of our affairs; and to propose such measures as, in the discharge of my official functions, have suggested themselves as necessary to promote the objects of our Union.

In communicating with you for the first time, it is to me a source of unfeigned satisfaction, calling for mutual gratulation and devout thanks to a benign Providence, that we are at peace with all mankind; and that our country exhibits the most cheering evidence of general welfare and progressive improvement. Turning our eyes to other nations, our great desire is to see our brethren of the human race secured in the blessings enjoyed by ourselves, and advancing in knowledge, in freedom, and in social happiness.

Our foreign relations, although in their general character pacific and friendly, present subjects of difference between us and other powers of deep interest, as well to the country at large as to many of our citizens. To effect an adjustment of these shall continue to be the object of my earnest endeavors; and notwithstanding the difficulties of the task, I do not allow myself to apprehend unfavorable results. Blessed as our country is with every thing which constitutes national strength, she is fully adequate to the maintenance of all her interests. In discharging the responsible trust confided to the executive in this respect, it is my settled purpose to ask nothing that is not clearly right, and to submit to nothing that is wrong; and I flatter myself, that, supported by the other branches of the government, and by the intelligence and patriotism of the people, we shall be able, under the protection of Providence, to cause all our just rights to be respected.

Of the unsettled matters between the United States and other powers, the most prominent are those which have for years been the subject of negotiation with England, France, and Spain. The late periods at which our ministers to those governments left the United States, render it impossible, at this early day, to inform you of what has been done on the subjects with which they have been respectively charged. Relying upon the justice of our views in relation to the points committed to negotiation, and the reciprocal good feeling which characterizes our intercourse with those nations, we have the best reason to hope for a satisfactory adjustment of existing differences.

With Great Britain, alike distinguished in peace and war, we may look forward to years of peaceful, honorable, and elevated competition. Every thing in the condition and history of the two nations is calculated to inspire sentiments of mutual respect, and to carry conviction to the minds of both, that it is their policy to preserve the most cordial relations. Such are my own views; and it is not to be doubted that such are also the prevailing sentiments of our constituents. Although neither time nor opportunity has been afforded for a full development of

the policy which the present cabinet of Great Britain designs to pursue towards this country, I indulge the hope that it will be of a just and pacific character; and if this anticipation be realized, we may look with confidence to a speedy and acceptable adjustment of our affairs.

Under the convention for regulating the reference to arbitration the disputed points of boundary under the fifth article of the treaty of Ghent, the proceedings have hitherto been conducted in the spirit of candor and liberality which ought ever to characterize the acts of sovereign states, seeking to adjust, by the most unexceptionable means, important and delicate subjects of contention. The first statements of the parties have been exchanged, and the final replication on our part is in a course of preparation. This subject has received the attention demanded by its great and peculiar importance to a patriotic member of this confederacy. The exposition of our rights, already made, is such as from the high reputation of the commissioners by whom it has been prepared, we had a right to expect. Our interests at the court of the sovereign who has evinced his friendly disposition, by assuming the delicate task of arbitration, have been committed to a citizen of the state of Maine, whose character, talents, and intimate acquaintance with the subject, eminently qualify him for so responsible a trust. With full confidence in the justice of our cause, and in the probity, intelligence, and uncompromising independence of the illustrious arbitrator, we can have nothing to apprehend from the result.

From France, our ancient ally, we have a right to expect that justice which becomes the sovereign of a powerful, intelligent, and magnanimous people. The beneficial effects produced by the commercial convention of 1822, limited as are its provisions, are too obvious not to make a salutary impression upon the minds of those who are charged with the administration of her government. Should this result induce a disposition to embrace to their full extent the wholesome principles which constitute our commercial policy, our minister to that court will be found instructed to cherish such a disposition, and to ai l

in conducting it to useful practical conclusions. The claims of our citizens for depredations upon their property, long since committed under the authority, and in many instances, by the express direction, of the then existing government of France, remained unsatisfied; and must, therefore, continue to furnish a subject of unpleasant discussion, and possible collision, between the two governments. I cherish, however, a lively hope, founded as well on the validity of those claims, and the established policy of all enlightened governments, as on the known integrity of the French monarch, that the injurious delays of the past will find redress in the equity of the future. Our minister has been instructed to press these demands on the French government with all the earnestness which is called for by their importance and irrefutable justice; and in a spirit that will evince the respect which is due to the feelings of those from whom the satisfaction is required.

Our minister recently appointed to Spain has been authorized to assist in removing evils alike injurious to both countries, either by concluding a commercial convention upon liberal and reciprocal terms; or by urging the acceptance, in their full extent, of the mutually beneficial provisions of our navigation act. He has also been instructed to make a further appeal to the justice of Spain, in behalf of our citizens, for indemnity for spoliations upon our commerce, committed under her authority—an appeal which the pacific and liberal course observed on our part, and a due confidence in the honor of that government authorized us to expect will not be made in vain.

With other European powers, our intercourse is on the most friendly footing. In Russia, placed by her territorial limits, extensive population, and great power, high in the rank of nations, the United States have always found a steadfast friend. Although her recent invasions of Turkey awakened a lively sympathy for those who were exposed to the desolations of war, we cannot but anticipate that the result will prove favorable to the cause of civilization, and to the progress of human happiness. The treaty of peace between these powers having been ratified,

we cannot be insensible to the great benefit to be derived by the commerce of the United States from unlocking the navigation of the Black Sea—a free passage into which is secured to all merchant vessels bound to ports of Russia under a flag at peace with the Porte. This advantage, enjoyed upon conditions, by most of the powers of Europe, has hitherto been withheld from us. During the past summer, an antecedent but unsuccessful attempt to obtain it, was renewed under circumstances which promised the most favorable results. Although these results have fortunately been thus in part attained, further facilities to the enjoyment of this new field for the enterprise of our citizens are, in my opinion, sufficiently desirable to insure to them our most zealous attention.

Our trade with Austria, although of secondary importance, has been gradually increasing; and is now so extended as to deserve the fostering care of the government. A negotiation, commenced and nearly completed with that power, by the late administration, has been consummated by a treaty of amity, navigation and commerce, which will be laid before the Senate.

During the recess of Congress, our diplomatic relations with Portugal have been resumed. The peculiar state of things in that country caused a suspension of the recognition of the representative who presented himself, until an opportunity was had to obtain from our official organ there, information regarding the actual, and, as far as practicable, prospective condition of the authority by which the representative in question was appointed. This information being received, the application of the established rule of our government, in like cases, was no longer withheld.

Considerable advances have been made during the present year in the adjustment of claims of our citizens upon Denmark for spoliations; but all that we have a right to demand from that government in their behalf has not yet been conceded. From the liberal footing, however, upon which this subject has, with the approbation of the claimants, been placed by the government, together with the uniformly just and friendly disposition which has been evinced by his Danish majesty, there is a reasonable

ground to hope that this single subject of difference will speedily be removed.

Our relations with the Barbary powers continue, as they have long been, of the most favorable character. The policy of keeping an adequate force in the Mediterranean, as security for the continuance of this tranquillity, will be persevered in; as well as a similar one for the protection of our commerce and fisheries in the Pacific.

The southern republics of our hemisphere have not yet realized all the advantages for which they have been so long struggling. We trust, however, that the day is not distant when the restoration of peace and internal quiet, under permanent systems of government, securing the liberty, and promoting the happiness of the citizens, will crown, with complete success, their long and arduous efforts in the cause of self-government; and enable us to salute them as friendly rivals in all that is truly great and glorious.

The recent invasion of Mexico, and the effect thereby produced upon her domestic policy, must have a controlling influence upon the great question of South American emancipation. We have seen the fell spirit of civil dissention rebuked, and, perhaps, forever stifled in that republic by the love of independence. If it be true, as appearances strongly indicate, that the spirit of independence is the master spirit; and if a corresponding sentiment prevails in the other states, this devotion to liberty cannot be without a proper effect upon the counsels of the mother country. The adoption by Spain of a pacific policy towards her former colonies—an event consoling to humanity, and a blessing to the world, in which she herself cannot fail largely to participate—may be most reasonably expected.

The claims of our citizens upon the South American governments generally, are in a train of settlement, while the principal part of those upon Brazil have been adjusted; and a decree in council, ordering bonds to be issued by the minister of the treasury for their amount, has received the sanction of his imperial majesty. This event, together with the exchange of the ratifications of the treaty negotiated and concluded in 1828, happily terminates all serious causes of difference with that power.

Measures have been taken to place our commercial relations with Peru upon a better footing than that upon which they have hitherto rested; and if met by a proper disposition on the part of that government, important benefits may be secured to both countries.

Deeply interested as we are in the prosperity of our sister republics; and more particularly in that of our immediate neighbor, it would be most gratifying to me were I permitted to say, that the treatment which we have received at her hands has been as universally friendly, as the early and constant solicitude manifested by the United States for her success, gave us a right to expect. But it becomes my duty to inform you that prejudices long indulged by a portion of the inhabitants of Mexico against the envoy extraordinary and minister plenipotentiary of the United States, have had an unfortunate influence upon the affairs of the two countries; and have diminished that usefulness to his own which was justly to be expected from his talents and zeal. To this cause in a great degree is to be imputed the failure of several measures equally interesting to both parties; but, particularly that of the Mexican government to ratify a treaty negotiated and concluded in its own capital, and under its own eye. Under these circumstances, it appeared expedient to give to Mr. Poinsett the option either to return or not, as in his judgment the interest of his country might require, and instructions to that end were prepared; but before they could be despatched, a communication was received from the government of Mexico, through its charge d'affaires here, requesting the recall of our minister. This was promptly complied with; and a representative of a rank corresponding with that of the Mexican diplomatic agent near this government was appointed. Our conduct towards that republic has been uniformly of the most friendly character; and having thus removed the only alleged obstacle to harmonious intercourse, I cannot but hope that an advantageous change will occur in our affairs.

In justice to Mr. Poinsett, it is proper to say, that my immediate compliance with the application for his recall, and the appointment of a successsor, are not to be ascribed to any evidence that the imputation of an improper interference by him, in the local politics of Mexico, was

well founded; nor to a want of confidence in his talents or integrity; and to add, that the truth of that charge has never been affirmed by the federal government of Mexico, in their communications with this.

I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our constitution which relates to the election of President and Vice-President. Our system of government was, by its framers, deemed an experiment; and they, therefore, consistently provided a mode of remedying its defects.

To the people belongs the right of electing their chief magistrate; it was never designed that their choice should, in any case, be defeated, either by the intervention of electoral colleges, or by the agency confided, under certain contingencies, to the House of Representatives. Experience proves, that, in proportion as agents to execute the will of the people are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful; all are liable to err. So far, therefore, as the people can, with convenience, speak, it is safer for them to express their own will.

The number of aspirants to the presidency, and the diversity of the interests which may influence their claims, leave little reason to expect a choice in the first instance; and, in that event, the election must devolve on the House of Representatives, where, it is obvious, the will of the people may not be always ascertained; or, if ascertained, may not be regarded. From the mode of voting by states, the choice is to be made by twenty-four votes; and it may often occur, that one of those will be controlled by an individual representative. Honors and offices are at the disposal of the successful candidate. Repeated ballottings may make it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward? But even without corruption—supposing the probity of the representative to be proof against the powerful motives by which it may be assailed—the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another, from the conviction that it is

his duty to be governed by his own judgment of the fitness of the candidates; finally, although all were inflexibly honest—all accurately informed of the wishes of their constituents—yet, under the present mode of election, a minority may often elect the President; and when this happens, it may reasonably be expected that efforts will be made on the part of the majority to rectify this injurious operation of their institutions. But although no evil of this character should result from such a perversion of the first principles of our system—*that the majority is to govern*—it must be very certain that a President elected by a minority cannot enjoy the confidence necessary to the successful discharge of his duties.

In this, as in all other matters of public concern, policy requires that as few impediments as possible should exist to the free operation of the public will. Let us then endeavor to so amend our system, that the office of chief magistrate may not be conferred upon any citizen, but in pursuance of a fair expression of the will of the majority.

I would therefore recommend such an amendment of the constitution as may remove all intermediate agency, in the election of the President and Vice-President. The mode may be so regulated as to preserve to each state its present relative weight in the election; and a failure in the first attempt may be provided for, by confiding the second to a choice between the two highest candidates. In connection with such an amendment, it would seem advisable to limit the service of the chief magistrate to a single term of either four or six years. If, however, it should not be adopted, it is worthy of consideration whether a provision disqualifying for office, the representatives in Congress on whom such an election may have devolved, would not be proper.

While members of Congress can be constitutionally appointed to offices of trust and profit, it will be the practice, even under the most conscientious adherence to duty, to select them for such stations as they are believed to be better qualified to fill than other citizens; but the purity of our government would doubtless be promoted by their exclusion from all appointments in the gift of the President, in whose election they may have been offi-

cially concerned. The nature of the judicial office, and the necessity of securing in the cabinet and diplomatic stations of the highest rank, the best talents and political experience, should, perhaps, except these from the exclusion.

There are perhaps few men who can for any great length of time enjoy office and power, without being more or less under the influence of feelings unfavorable to the faithful discharge of their public duties. Their integrity may be proof against improper considerations immediately addressed to themselves; but they are apt to acquire a habit of looking with indifference upon the public interests, and of tolerating conduct from which an unpractised man would revolt. Office is considered as a species of property; and government rather as a means of promoting individual interest, than as an instrument created solely for the service of the people. Corruption in some, and in others a perversion of correct feelings and principles, divert government from its legitimate ends, and make it an engine for the support of the few at the expense of the many. The duties of all public officers are, or at least admit of being made so plain and simple that men of intelligence may readily qualify themselves for their performance; and I cannot but believe that more is lost by the long continuance of men in office than is generally to be gained by their experience. I submit therefore to your consideration whether the efficiency of the government would not be promoted, and official industry and integrity better secured by a general extension of the law which limits appointments to four years.

In a country where offices are created solely for the benefit of the people, no one man has any more intrinsic right to official station than another. Offices were not established to give support to particular men at the public expense. No individual wrong is therefore done by removal, since neither appointment to nor continuance in office is matter of right. The incumbent became an officer with a view to the public benefits; and when these require his removal, they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain, when a bad officer is substituted for

a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed limitation would destroy the idea of property, now so generally connected with official station; and although individual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading principle in the republican creed, give healthful action to the system.

No very considerable change has occurred during the recess of Congress, in the condition of either our agriculture, commerce, or manufactures. The operation of the tariff has not proved so injurious to the two former, or as beneficial to the latter, as was anticipated. Importations of foreign goods have not been sensibly diminished; while domestic competition, under an illusive excitement, has increased the production much beyond the demand for home consumption. The consequences have been, low prices, temporary embarrassment, and partial loss. That such of our manufacturing establishments as are based upon capital, and are prudently managed, will survive the shock, and be ultimately profitable, there is no good reason to doubt.

To regulate its conduct, so as to promote equally the prosperity of these three cardinal interests, is one of the most difficult tasks of government; and it may be regretted that the complicated restrictions which now embarrass the intercourse of nations, could not by common consent be abolished; and commerce allowed to flow in those channels to which individual enterprise, always its surest guide, might direct it. But we must ever expect selfish legislation in other nations; and are therefore compelled to adapt our own to their regulations, in the manner best calculated to avoid serious injury, and to harmonize the conflicting interests of our agriculture, our commerce, and our manufactures. Under these impressions, I invite your attention to the existing tariff, believing that some of its provisions require modification.

The general rule to be applied in graduating the duties upon the articles of foreign growth or manufacture, is that which will place our own in fair competition with those of other countries: and the inducements to advance

even a step beyond this point, are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry, affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

In deliberating, therefore, on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All the attempts to connect them with the party conflicts of the day are necessarily injurious, and should be discountenanced. Our action upon them should be under the control of higher and purer motives. Legislation, subjected to such influence, can never be just; and will not long retain the sanction of the people, whose active patriotism is not bounded by sectional limits, nor insensible to that spirit of concession and forbearance which gave life to our political compact, and still sustains it. Discarding all calculations of political ascendency, the north, the south, the east, and the west, should unite in diminishing any burden, of which either may justly complain.

The agricultural interest of our country is so essentially connected with every other, and so superior in importance to them all, that it is scarcely necessary to invite it to your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural productions, and to extend their application to the wants and comforts of society, that they deserve the fostering care of government.

Looking forward to the period, not far distant, when a sinking fund will no longer be required, the duties on those articles of importation which cannot come in competition with our own productions, are the first that should engage the attention of Congress in the modification of the tariff. Of these, tea and coffee are the most prominent; they enter largely into the consumption of the country, and have become articles of necessity to all

classes. A reduction, therefore, of the existing duties, will be felt as a common benefit; but, like all other legislation connected with commerce, to be efficacious, and not injurious, it should be gradual and certain.

The public prosperity is evinced in the increased revenue arising from the sales of public lands; and in the steady maintenance of that produced by imposts and tonnage, notwithstanding the additional duties imposed by the act of 19th May, 1828, and the unusual importations in the early part of that year.

The balance in the treasury on the 1st January, 1829, was $5,972,435 81. The receipts of the current year are estimated at $24,602,230; and the expenditures for the same time at $26,164,595. Leaving a balance in the treasury, on the 1st of January next, of $4,410,070 81.

There will have been paid on account of the public debt during the present year, the sum of $12,405,005 80; reducing the whole debt of the government, on the first of January next, to $48,565,406 50, including seven millions of five per cent. stock subscribed to the Bank of the United States. The payment on account of the public debt, made on the first of July last, was $8,715,-462 87. It was apprehended that the sudden withdrawal of so large a sum from the banks in which it was deposited, at a time of unusual pressure in the money market, might cause much injury to the interests dependent on bank accommodations. But this evil was wholly averted by an early anticipation of it at the treasury, aided by the judicious arrangements of the officers of the Bank of the United States.

The state of the finances exhibits the resources of the nation in an aspect highly flattering to its industry, and auspicious of the ability of the government, in a very short time, to extinguish the public debt. When this shall be done, our population will be relieved from a considerable portion of its present burdens; and will find not only new motives to patriotic affection, but additional means for the display of individual enterprise. The fiscal power of the states will also be increased; and may be more extensively exerted in favor of education and other public objects; while ample means will remain

in the federal government to promote the general weal, in all the modes permitted to its authority.

After the extinction of the public debt, it is not probable that any adjustment of the tariff, upon principles satisfactory to the people of the Union, will, until a remote period, if ever, leave the government without a considerable surplus in the treasury, beyond what may be required for its current service. As, then, the period approaches when the application of the revenue to payment of the debt will cease, the disposition of the surplus will present a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connection with the difficulties which have heretofore attended appropriations for purposes of internal improvement, and with those which this experience tells us will certainly arise, whenever power over such subjects may be exercised by the general government; it is hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the states, and strengthen the bonds which unite them. Every member of the Union, in peace and in war, will be benefitted by the improvement of inland navigation, and the construction of highways in the several states. Let us then endeavor to attain this benefit in a mode that will be satisfactory to all. That hitherto adopted has, by many of our fellow-citizens, been deprecated as an infraction of the constitution; while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils.

To avoid these evils, it appears to me that the most safe, just, and federal disposition which could be made of this surplus revenue, would be its apportionment among the several states, according to their ratio of representation; and should this measure not be found warranted by the constitution, that it would be expedient to propose to the states an amendment authorizing it. I regard an appeal to the source of power, in all cases of real doubt, and where its exercise is deemed advisable to the general welfare, as among the most sacred of all our obligations. Upon this country, more than any other,

has, in the providence of God, been cast the special guardianship of the great principle of adherence to written constitutions. If it fail here, all hope in regard to it will be extinguished. That this was intended to be a government of limited and specific, and not general powers, must be admitted by all; and it is our duty to preserve for it the character intended by its framers. If experience points out the necessity for an enlargement of these powers, let us apply for it to those for whose benefit it is to be exercised; and not undermine the whole system by a resort to overstrained constructions. The scheme has worked well. It has exceeded the hopes of those who devised it, and become an object of admiration to the world. We are responsible to our country and to the glorious cause of self-government, for the preservation of so great a good. The great mass of legislation relating to our internal affairs, was intended to be left where the federal convention found it—in the state governments. Nothing is clearer, in my view, than that we are chiefly indebted for the success of the constitution under which we are now acting, to the watchful and auxiliary operation of the state authorities. This is not the reflection of a day, but belongs to the most deeply rooted convictions of my mind. I cannot, therefore, too strongly or too earnestly, for my own sense of its importance, warn you against all encroachment upon the legitimate sphere of state sovereignty. Sustained by its healthful and invigorating influence, the federal system can never fall.

In the collection of the revenue, the long credits authorized on goods imported from beyond the Cape of Good Hope are the chief cause of the losses at present sustained. If these were shortened to six, nine, and twelve months, and warehouses provided by government, sufficient to receive the goods offered in deposite for security and for debenture; and if the right of the United States to a priority of payment out of the estates of its insolvent debtors was more effectually secured, this evil would in a great measure be obviated. An authority to construct such houses is, therefore, with the proposed alteration of the credits, recommended to your attention.

It is worthy of notice, that the laws for the collection and security of the revenue arising from imposts, were chiefly framed when the rates of duties on imported goods presented much less temptation for illicit trade than at present exists. There is reason to believe that these laws are, in some respects, quite insufficient for the proper security of the revenue, and the protection of the interests of those who are disposed to observe them. The injurious and demoralizing tendency of a successful system of smuggling is so obvious as not to require comment, and cannot be too carefully guarded against. I therefore suggest to Congress the propriety of adopting efficient measures to prevent this evil, avoiding, however, as much as possible, every unnecessary infringement of individual liberty, and embarrassment of fair and lawful business.

On an examination of the records of the treasury, I have been forcibly struck with the large amount of public money which appears to be outstanding. Of this sum thus due from individuals to the government, a considerable portion is undoubtedly desperate; and in many instances, has probably been rendered so by remissness in the agents charged with its collection. By proper exertions, a great part, however, may yet be recovered; and whatever may be the portions respectively belonging to these two classes, it behoves the government to ascertain the real state of the fact. This can be done only by the prompt adoption of judicious measures for the collection of such as may be made available. It is believed that a very large amount has been lost through the inadequacy of the means provided for the collection of debts due to the public; and that this inadequacy lies chiefly in the want of legal skill, habitually and constantly employed in the direction of the agents engaged in the service. It must, I think, be admitted, that the supervisory power over suits brought by the public, which is now vested in an *accounting* officer of the treasury, not selected with a view to his legal knowledge, and encumbered as he is with numerous other duties, operates unfavorably to the public interest.

It is important that this branch of the public service

should be subject to the supervision of such professional skill as will give it efficacy. The expense attendant upon such a modification of the executive department, would be justified by the soundest principles of economy. I would recommend, therefore, that the duties now assigned to the agent of the treasury, so far as they relate to the superintendence and management of legal proceedings on the part of the United States, to be transferred to the attorney-general; and that this officer be placed on the same footing in all respects, as the heads of the other departments—receiving like compensation, and having such subordinate officers provided for his department, as may be requisite for the discharge of these additional duties. The professional skill of the attorney-general, employed in directing the conduct of marshals and district attorneys, would hasten the collection of debts now in suit, and hereafter save much to the government. It might be further extended to the superintendence of all criminal proceedings for offences against the United States. In making this transfer, great care should be taken, however, that the power necessary to the treasury department be not impaired; one of its greatest securities consisting in a control over all accounts until they are andited or reported for suit.

In connection with the foregoing views, I would suggest, also, an inquiry, whether the provisions of the act of Congress, authorizing the discharge of the persons of debtors to the government from imprisonment, may not, consistently with the public interest, be extended to the release of the debt, where the conduct of the debtor is wholly exempt from the imputation of fraud. Some more liberal policy than that which now prevails in reference to this unfortunate class of citizens is certainly due to them, and would prove beneficial to the country. The continuance of the liability after the means to discharge it have been exhausted, can only serve to dispirit the debtor; or where his resources are but partial, the want of power in the government to compromise and release the demand, instigates to fraud, as the only resource for securing a support to his family. He thus sinks into a state of apathy, or becomes a useless drone in society, or

a vicious member of it, if not a feeling witness of the rigor and inhumanity of his country. All experience proves that an oppressive debt is the bane of enterprise; and it should be the care of a republic not to exert a grinding power over misfortune and poverty.

Since the last session of Congress, numerous frauds on the treasury have been discovered, which I thought it my duty to bring under the cognizance of the United States Court, for this district, by a criminal prosecution. It was my opinion, and that of able counsel who were consulted, that the cases came within the penalties of the act of the 17th Congress, approved 3d March, 1823, providing for the punishment of frauds committed on the government of the United States. Either from some defect in the law or in its administration, every effort to bring the accused to trial under its provisions proved ineffectual, and the government was driven to the necessity of resorting to the vague and inadequate provisions of the common law. It is therefore my duty to call your attention to the laws which have been passed for the protection of the treasury. If, indeed, there is no provision by which those who may be unworthily intrusted with its guardianship, can be punished for the most flagrant violation of duty, extending even to the most fraudulent appropriation of the public funds to their own use, it is time to remedy so dangerous an omission. Or, if the law has been perverted from its original purposes, and criminals deserving to be punished under its provisions, have been rescued by legal subtilties, it ought to be made so plain, by amendatory provisions, as to baffle the arts of perversion, and accomplish the ends of its original enactment.

In one of the most flagrant cases, the court decided that the prosecution was barred by the statute which limits prosecutions for fraud to two years. In this case all the evidences of the fraud, and indeed all knowledge that a fraud had been committed, were in the possession of the party accused, until after the two years had elapsed. Surely the statute ought not to run in favor of any man while he retains all the evidences of his crime in his own possession: and least of all, in favor of a public officer

who continues to defraud the treasury, and conceal the transaction for the brief term of two years. I would therefore recommend such an alteration of the law as will give the injured party and the government two years after the disclosure of the fraud, or after the accused is out of office, to commence their prosecution.

In connection with this subject, I invite the attention of Congress to a general and minute inquiry into the condition of the government; with a view to ascertain what offices can be dispensed with, what expenses retrenched, and what improvements may be made in the organization of its various parts to secure the proper responsibility of public agents, and promote efficiency and justice in all its operations.

The report of the Secretary of War will make you acquainted with the condition of our army, fortifications, arsenals, and Indian affairs. The proper discipline of the army, the training and equipment of the militia, the education bestowed at West Point, and the accumulation of the means of defence, applicable to the naval force, will tend to prolong the peace we now enjoy, and which every good citizen, more especially those who have felt the miseries of even a successful warfare, most ardently desire to perpetuate.

The returns from the subordinate branches of this service exhibit a regularity and order highly creditable to its character: both officers and soldiers seem imbued with a proper sense of duty, and conform to the restraints of exact discipline with that cheerfulness which becomes the profession of arms. There is need, however, of further legislation to obviate the inconveniences specified in the report under consideration; to some of which it is proper that I should call your particular attention.

The act of Congress of the 2d March, 1821, to reduce and fix the military establishment, remaining unexecuted as it regards the command of one of the regiments of artillery, cannot now be deemed a guide to the executive in making the proper appointment. An explanatory act, designating the class of officers out of which this grade is to be filled—whether from the military list, as existing prior to the act of 1821, or from it, as it has been fixed

by that act—would remove this difficulty. It is also important that the laws regulating the pay and emoluments of the officers generally, should be more specific than they now are. Those, for example, in relation to the paymaster and surgeon-general, assign to them an annual salary of $2,500; but are silent as to allowances which, in certain exigencies of the service, may be deemed indispensable to the discharge of their duties. This circumstance has been the authority for extending to them various allowances at different times under former administrations; but no uniform rule has been observed on the subject. Similar inconveniences exist in other cases, in which the construction put upon the laws by the public accountants may operate unequally, produce confusion, and expose officers to the odium of claiming what is not their due.

I recommend to your fostering care, as one of our safest means of national defence, the Military Academy. This institution has already exercised the happiest influence upon the moral and intellectual character of our army; and such of the graduates as, from various causes, may not pursue the profession of arms, will be scarcely less useful as citizens. Their knowledge of the military art will be advantageously employed in the militia service; and in a measure secure to that class of troops the advantages which in this respect belong to standing armies.

I would also suggest a review of the pension law, for the purpose of extending its benefits to every revolutionary soldier who aided in establishing our liberties, and who is unable to maintain himself in comfort. Those relics of the war of independence have strong claims upon their country's gratitude and bounty. The law is defective in not embracing within its provisions all those who were during the last war disabled from supporting themselves by manual labor. Such an amendment would add but little to the amount of pensions, and is called for by the sympathies of the people, as well as by considerations of sound policy. It will be perceived that a large addition to the list of pensioners has been occasioned by an order of the late administration, departing materially

from the rules which had previously prevailed. Considering it an act of legislation, I suspended its operation as soon as I was informed that it had commenced. Before this period, however, applications under the new regulation had been preferred, to the number of one hundred and fifty-four: of which, on the 27th March, the date of its revocation, eighty-seven were admitted. For the amount there was neither estimate nor appropriation; and besides this deficiency, the regular allowances, according to the rules which have heretofore governed the department, exceed the estimate of its late secretary, by about fifty thousand dollars, for which an appropriation is asked.

Your particular attention is requested to that part of the report of the Secretary of War which relates to the money held in trust for the Seneca tribe of Indians. It will be perceived that, without legislative aid, the executive cannot obviate the embarrassments occasioned by the diminution of the dividends on that fund, which originally amounted to $100,000, and has recently been vested in the United States three per cent. stock.

The condition and ulterior destiny of the Indian tribes within the limits of some of our states, have become objects of much interest and importance. It has long been the policy of government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another wholly incompatible with its success. Professing a desire to civilize and settle them, we have at the same time lost no opportunity to purchase their lands, and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in expenditures upon the subject, government has constantly defeated its own policy; and the Indians, in general, receding further and further to the west, have retained their savage habits. A portion, however, of the southern tribes, having mingled much with the whites, and made some progress in the arts of civilized life, have lately attempted to erect an independent government within the

limits of Georgia and Alabama. These states, claiming to be the only sovereigns within their territories, extended their laws over the Indians; which induced the latter to call upon the United States for protection.

Under these circumstances, the question presented was, whether the general government had a right to sustain those people in their pretensions. The constitution declares, that "no new state shall be formed or erected within the jurisdiction of any other state," without the consent of its legislature. If the general government is not permitted to tolerate the erection of a confederate state within the territory of one of the members of this Union, against her consent, much less could it allow a foreign and independent government to establish itself there. Georgia became a member of the confederacy which eventuated in our federal union, as a sovereign state, always asserting her claim to certain limits; which having been originally defined in her colonial charter, and subsequently recognized in the treaty of peace, she has ever since continued to enjoy, except as they have been circumscribed by her own voluntary transfer of a portion of her territory to the United States, in the articles of cession of 1802. Alabama was admitted into the Union on the same footing with the original states, with boundaries which were prescribed by Congress. There is no constitutional, conventional, or legal provision, which allows them less power over the Indians within their borders, than is possessed by Maine or New York. Would the people of Maine permit the Penobscot tribe to erect an independent government within their state? and unless they did, would it not be the duty of the general government to support them in resisting such a measure? Would the people of New York permit each remnant of the Six Nations within her borders, to declare itself an independent people under the protection of the United States? Could the Indians establish a separate republic in each of their reservations in Ohio? and if they were so disposed, would it be the duty of this government to protect them in the attempt? If the principle involved in the obvious answer to these questions be abandoned, it will follow that the objects of this government are re-

versed; and that it has become a part of its duty to aid in destroying the states which it was established to protect.

Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama, that their attempt to establish an independent government would not be countenanced by the executive of the United States; and advised them to emigrate beyond the Mississippi, or submit to the laws of those states.

Our conduct towards these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a most powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By persuasion and force they have been made to retire from river to river, and from mountain to mountain, until some of the tribes have become extinct, and others have left but remnants, to preserve, for a while, their once terrible names. Surrounded by the whites, with their arts of civilization, which, by destroying the resources of the savage, doom him to weakness and decay; the fate of the Mohegan, the Narragansett, and the Delaware, is fast overtaking the Choctaw, the Cherokee, and the Creek. That this fate surely awaits them if they remain within the limits of the states, does not admit of a doubt. Humanity and national honor demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of new states whose limits they could control. That step cannot be retraced. A state cannot be dismembered by Congress, or restricted in the exercise of her constitutional power. But the people of those states, and of every state, actuated by feelings of justice and a regard for our national honor, submit to you the interesting question, whether something cannot be done, consistently with the rights of the states, to preserve this much injured race.

As a means of effecting this end, I suggest for your consideration the propriety of setting apart an ample district west of the Mississippi, and without the limits of

any state or territory now formed, to be guarantied to the Indian tribes, as long as they shall occupy it; each tribe having a distinct control over the portion designated for its use. There they may be secured in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier, and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization; and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race, and to attest the humanity and justice of this government.

This emigration should be voluntary; for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers, and seek a home in a distant land. But they should be distinctly informed that, if they remain within the limits of the states, they must be subject to their laws. In return for their obedience as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose, that in this state of things, claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain, or passed them in the chase. Submitting to the laws of the states, and receiving, like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population.

The accompanying report of the Secretary of the Navy will make you acquainted with the condition and useful employment of that branch of our service during the present year. Constituting, as it does, the best standing security of this country against foreign aggression, it claims the especial attention of government. In this spirit, the measures which, since the termination of the last war, have been in operation for its gradual enlargement were adopted; and it should continue to be cherished as the offspring of our national experience. It will be seen, however, that notwithstanding the great solicitude which has been manifested for the perfect orga-

nization of this arm, and the liberality of the appropria tions which that solicitude has suggested, this object has, in many important respects, not been secured.

In time of peace we have need of no more ships of war than are requisite to the protection of our commerce. Those not wanted for this object, must lay in the harbors, where, without proper covering, they rapidly decay; and even under the best precautions for their preservation, must soon become useless. Such is already the case with many of our finest vessels; which, though unfinished, will now require immense sums of money to be restored to the condition in which they were when committed to their proper element. On this subject there can be little doubt that our best policy would be to discontinue the building of the first and second class, and look rather to the possession of ample materials, prepared for the emergencies of war, than to the number of vessels which we can float in a season of peace, as the index of our naval power. Judicious deposites in the navy-yards, of timber and other materials, fashioned under the hands of skilful workmen, and fitted for prompt application to their various purposes, would enable us, at all times, to construct vessels as fast as they can be manned; and save the heavy expense of repairs, except to such vessels as must be employed in guarding our commerce. The proper points for the establishments of these yards are indicated with so much force in the report of the Navy Board, that, in recommending it to your attention, I deem it unnecessary to do more than express my hearty concurrence in their views. The yard in this district, being already furnished with most of the machinery necessary for ship building, will be competent to the supply of the two selected by the board as the best for the concentration of materials; and from the facility and certainty of communication between them, it will be useless to incur, at those depots, the expense of similar machinery, especially that used in preparing the usual metallic and wooden furniture of vessels.

Another improvement would be effected by dispensing altogether with the Navy Board, as now constituted, and substituting in its stead, bureaus similar to those already existing in the War department. Each member of the

board, transferred to the head of a separate bureau charged with specific duties, would feel, in its highest degree, that wholesome responsibility which cannot be divided without a far more proportionate diminution of its force. Their valuable services would become still more so when separately appropriated to distinct portions of the great interests of the navy; to the prosperity of which each would be impelled to devote himself by the strongest motives. Under such an arrangement, every branch of this important service would assume a more simple and precise character; its efficiency would be increased, and scrupulous economy in the expenditure of public money promoted.

I would also recommend that the marine corps be merged in the artillery or infantry, as the best mode of curing the many defects in its organization. But little exceeding in number any of the regiments of infantry, that corps has, besides its lieutenant-colonel commandant, five brevet lieutenant-colonels, who receive the full pay and emoluments of their brevet rank, without rendering proportionate service. Details for marine service could as well be made from the artillery or infantry—there being no peculiar training requisite for it.

With these improvements, and such others as zealous watchfulness and mature consideration may suggest, there can be little doubt that, under an energetic administration of its affairs, the navy may soon be made every thing that the nation wishes it to be. Its efficiency in the suppression of piracy in the West India seas, and wherever its squadrons have been employed in securing the interests of the country, will appear from the report of the secretary to which I refer you, for other interesting details. Among these I would bespeak the attention of Congress from the views presented in relation to the inequality between the army and navy as to the pay of officers. No such inequality should prevail between these brave defenders of their country; and where it does exist, it is submitted to Congress whether it ought not to be rectified.

The report of the Postmaster-general is referred to as exhibiting a highly satisfactory administration of that

department. Abuses have been reformed; increased expedition in the transportation of the mail secured; and its revenue much improved. In a political point of view, this department is chiefly important as affording the means of diffusing knowledge. It is to the body politic what the veins and arteries are to the natural—conveying rapidly and regularly to the remotest parts of the system, correct information of the operations of the government; and bringing back to it the wishes and feelings of the people. Through its agency, we have secured to ourselves the full enjoyment of the blessings of a free press.

In this general survey of our affairs, a subject of high importance presents itself in the present organization of the judiciary. A uniform operation of the federal government in the different states is certainly desirable; and existing as they do in the Union, on the basis of perfect equality, each state has a right to expect that the benefits conferred on the citizens of others should be extended to hers. The judicial system of the United States exists in all its efficiency in only fifteen members of the Union: to three others, the circuit courts, which constitute an important part of that system, have been imperfectly extended; and to the remaining six, altogether denied. The effect has been to withhold from the inhabitants of the latter, the advantages afforded (by the supreme court) to their fellow-citizens in other states, in the whole extent of the criminal, and much of the civil authority of the federal judiciary. That this state of things ought to be remedied, if it can be done consistently with the public welfare, is not to be doubted: neither is it to be disguised that the organization of our judicial system is at once a difficult and delicate task. To extend the circuit courts equally throughout the different parts of the Union, and at the same time, to avoid such a multiplication of members as would encumber the supreme appellate tribunal, is the object desired. Perhaps it might be accomplished by dividing the circuit judges into two classes, and providing that the supreme court should be held by those classes alternately—the chief justice always presiding.

If an extension of the circuit court system to those

states which do not now enjoy its benefits should be determined upon, it would of course be necessasy to revise the present arrangements of the circuits; and even if that system should not be enlarged, such a revision is recommended.

A provision for taking the census of the people of the United States will, to insure the completion of that work within a convenient time, claim the early attention of Congress.

The great and constant increase of business in the Department of State forced itself, at an early period, upon the attention of the executive. Thirteen years ago, it was in Mr. Madison's last message to Congress made the subject of an earnest recommendation, which has been repeated by both of his successors; and my comparatively limited experience has satisfied me of its justness. It has arisen from many causes, not the least of which is the large addition that has been made to the family of independent nations, and the proportionate extension of our foreign relations. The remedy proposed was the establishment of a Home Department—a measure which does not appear to have met the views of Congress, on account of its supposed tendency to increase gradually, and imperceptibly, the already too strong bias of the federal system towards the exercise of authority not delegated to it. I am not, therefore, disposed to revive the recommendation; but am not the less impressed with the importance of so organizing that department, that its secretary may devote more of his time to our foreign relations. Clearly satisfied that the public good would be promoted by some suitable provision on the subject, I respectfully invite your attention to it.

The charter of the Bank of the United States expires in 1836, and its stockholders will most probably apply for a renewal of their privileges. In order to avoid the evils resulting from precipitancy in a measure involving such important principles, and such deep pecuniary interests, I feel that I cannot, in justice to the parties interested, too soon present it to the deliberate consideration of the legislature and the people. Both the constitutionality and the expediency of the law creating this bank are well

questioned by a large portion of our fellow-citizens; and it must be admitted by all, that it has failed in the great end of establishing a uniform and sound currency.

Under these circumstances, if such an institution is deemed essential to the fiscal operations of the government, I submit to the wisdom of the legislature whether a national one, founded upon the credit of the government and its revenues, might not be devised, which would avoid all constitutional difficulties; and, at the same time, secure all the advantages to the government and country that were expected to result from the present bank.

I cannot close this communication without bringing to your view the just claim of the representatives of Commodore Decatur, his officers and crew, arising from the re-capture of the frigate Philadelphia, under the heavy batteries of Tripoli. Although sensible, as a general rule, of the impropriety of executive interference under a government like ours, where every individual enjoys the right of directly petitioning Congress; yet viewing this case as one of very peculiar character, I deem it my duty to recommend it to your favorable consideration. Besides the justice of this claim, as corresponding to those which have been since recognized and satisfied, it is the fruit of a deed of patriotic and chivalrous daring, which infused life and confidence into our infant navy, and contributed, as much as any exploit in its history, to elevate our national character. Public gratitude, therefore, stamps her seal upon it; and the meed should not be withheld which may hereafter operate as a stimulus to our gallant tars.

I now commend you, fellow-citizens, to the guidance of Almighty God, with a full reliance on his merciful providence for the maintenance of our free institutions; and with an earnest supplication, that whatever errors it may be my lot to commit, in discharging the arduous duties which have devolved on me, will find a remedy in the harmony and wisdom of your counsels.

MAYSVILLE ROAD VETO,

MAY 27, 1830.

To the House of Representatives:

GENTLEMEN: I have maturely considered the bill proposing to authorize "a subscription of stock in the Maysville, Washington, Paris, and Lexington Turnpike-road Company," and now return the same to the House of Representatives in which it originated, with my objections to its passage.

Sincerely friendly to the improvement of our country by means of roads and canals, I regret that any difference of opinion in the mode of contributing to it should exist between us; and if, in stating this difference, I go beyond what the occasion may be deemed to call for, I hope to find an apology in the great importance of the subject, an unfeigned respect for the high source from which this branch of it has emanated, and an anxious wish to be correctly understood by my constituents in the discharge of all my duties. Diversity of sentiment among public functionaries, actuated by the same general motives, on the character and tendency of particular measures, is an incident common to all governments, and the more to be expected in one which, like ours, owes its existence to the freedom of opinion, and must be upheld by the same influence. Controlled, as we thus are, by a higher tribunal, before which our respective acts will be canvassed with the indulgence due to the imperfections of our nature, and with that intelligence and unbiassed judgment which are the true correctives of error, all that our responsibility demands is, that the public good should be the measure of our views, dictating alike their frank expression and honest maintenance.

In the message which was presented to Congress at the opening of its present session, I endeavored to exhibit briefly my views upon the important and highly interesting subject to which our attention is now to be directed. I was desirous of presenting to the representatives of the several states in Congress assembled, the inquiry, whether some mode could not be devised, which would reconcile

the diversity of opinion concerning the powers of this government over the subject of internal improvement, and the manner in which these powers, if conferred by the constitution, ought to be exercised. The act which I am called upon to consider has therefore been passed with a knowledge of my views on this question, as these are expressed in the message referred to. In that document, the following suggestions will be found:—

"After the extinction of the public debt, it is not probable that any adjustment of the tariff, upon principles satisfactory to the people of the Union, will, until a remote period, if ever, leave the government without a considerable surplus in the treasury, beyond what may be required for its current service. As, then, the period approaches when the application of the revenue to the payment of debt will cease, the disposition of the surplus will present a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connection with the difficulties which have heretofore attended appropriations for purposes of internal improvement; and with those which this experience tells us will certainly arise, whenever power over such subjects may be exercised by the general government; it is hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the states, and strengthen the bonds which unite them. Every member of the Union, in peace and in war, will be benefitted by the improvement of inland navigation, and the construction of highways in the several states. Let us then endeavor to attain this benefit in a mode which will be satisfactory to all. That hitherto adopted has, by many of our fellow-citizens, been deprecated as an infraction of the constitution; while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils." And adverting to the constitutional power of Congress to make what I consider a proper disposition of the surplus revenue, I subjoined the following remarks: "To avoid these evils, it appears to me that the most safe, just, and federal disposition which could be made of the surplus revenue, would be its apportionment among the several states

according to their ratio of representation; and should this measure not be found warranted by the constitution, that it would be expedient to propose to the states an amendment authorizing it."

The constitutional power of the federal government to construct or promote works of internal improvement, presents itself in two points of view,—the first, as bearing upon the sovereignty of the states within whose limits their execution is contemplated, if jurisdiction of the territory which they may occupy be claimed as necessary to their preservation and use: the second, as asserting the simple right to appropriate money from the national treasury in aid of such works, when undertaken by state authority, surrendering the claim of jurisdiction. In the first view, the question of power is an open one, and can be decided without the embarrassment attending the other, arising from the practice of the government. Although frequently and strenuously attempted, the power, to this extent, has never been exercised by the government in a single instance. It does not, in my opinion, possess it; and no bill, therefore, which admits it, can receive my official sanction.

But, in the other view of the power, the question is differently situated. The ground taken at an early period of the government was, "that, whenever money has been raised by the general authority, and is to be applied to a particular measure, a question arises, whether a particular measure be within the enumerated authorities vested in Congress. If it be, the money requisite for it may be applied to it; if not, no such application can be made." The document in which this principle was first advanced is of deservedly high authority, and should be held in grateful remembrance for its immediate agency in rescuing the country from much existing abuse, and for its conservative effect upon some of the most valuable principles of the constitution. The symmetry and purity of the government would doubtless have been better preserved if this restriction of the power of appropriation could have been maintained without weakening its ability to fulfil the general objects of its institution—an effect so likely to attend its admission, notwithstanding its appa-

rent fitness, that every subsequent administration of the government, embracing a period of thirty out of forty-two years of its existence, has adopted a more enlarged construction of the power. It is not my purpose to detain you by a minute recital of the acts which sustain this assertion, but it is proper that I should notice some of the most prominent, in order that the reflections which they suggest to my mind may be better understood.

In the administration of Mr. Jefferson we have two examples of the exercise of the right of appropriation, which, in the considerations that led to their adoption, and in their effects upon the public mind, have had a greater agency in marking the character of the power than any subsequent events. I allude to the payment of fifteen millions of dollars for the purchase of Louisiana, and to the original appropriation for the construction of the Cumberland road; the latter act deriving much weight from the acquiescence and approbation of the three most powerful of the original members of the confederacy, expressed through their respective legislatures. Although the circumstances of the latter case may be such as to deprive so much of it as relates to the actual construction of the road, of the force of an obligatory exposition of the constitution, it must nevertheless be admitted that so far as the mere appropriation of money is concerned, they present the principle in its most imposing aspect. No less than twenty-three different laws have been passed through all the forms of the constitution, appropriating upwards of two millions and a half dollars out of the national treasury in support of that improvement, with the approbation of every President of the United States, including my predecessor, since its commencement.

Independently of the sanction giving appropriations for the Cumberland and other roads and objects, under this power, the administration of Mr. Madison was characterised by an act which furnishes the strongest evidence of its extent. A bill was passed through both houses of Congress, and presented for his approval, "setting apart and pledging certain funds for constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote, and give security to inter-

nal commerce among the several states, and to render more easy and less expensive, the means and provisions for the common defence." Regarding the bill as asserting a power in the federal government to construct roads and canals within the limits of the states, in which they were made, he objected to its passage, on the ground of its unconstitutionality, declaring that the assent of the respective states, in the mode provided by the bill, could not confer the power in question; that the only cases in which the consent and cession of particular states can extend the power of Congress, are those specified and provided for in the constitution; and superadding these avowals, his opinion that a restriction of the power "to provide for the common defence and general welfare" to cases which are to be provided for by the expenditure of money, would still leave within the legislative power of Congress all the great and most important measures of government, money being the ordinary and necessary means of carrying them into execution. I have not been able to consider these declarations in any other point of view than as a concession that the right of appropriation is not limited by the power to carry into effect the measure for which the money is asked, as was formerly contended.

The views of Mr. Monroe upon this subject were not left to inference. During his administration a bill was passed through both houses of Congress, conferring the jurisdiction, and prescribing the mode by which the federal government should exercise it, in the case of the Cumberland road. He returned it, with objections to its passage, and in assigning them, took occasion to say, that in the early stages of the government, he had inclined to the construction that it had no right to expend money except in the performance of acts authorized by the other specific grants of power, according to a strict construction of them; but that, on further reflection and observation, his mind had undergone a change; that his opinion then was, "that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted by the duty to appropriate to purposes of common defence, and of general, not

local; national, not state benefit;" and this was avowed to be the governing principle through the residue of his administration. The views of the last administration are of such recent date as to render a particular reference to them unnecessary. It is well known that the appropriating power, to the utmost extent which had been claimed for it in relation to internal improvements, was fully recognized and exercised by it.

This brief reference to known facts will be sufficient to show the difficulty, if not impracticability of bringing back the operations of the government to the construction of the constitution set up in 1798, assuming that to be its true reading, in relation to the power under consideration; thus giving an admonitory proof of the force of implication, and the necessity of guarding the constitution with sleepless vigilance against the authority of precedents which have not the sanction of its most plainly defined powers. For, although it is the duty of all to look to that sacred instrument, instead of the statute book; to repudiate at all times, encroachments upon its spirit, which are too apt to be effected by the conjuncture of peculiar and facilitating circumstances; it is not less true that the public good and the nature of our political institutions require that individual differences should yield to a well-settled acquiescence of the people and confederated authorities, in particular constructions of the constitution on doubtful points. Not to concede this much to the spirit of our institutions, would impair their stability, and defeat the objects of the constitution itself.

The bill before me does not call for a more definite opinion upon the particular circumstances which will warrant appropriations of money by Congress, to aid works of internal improvement; for although the extension of the power to apply money beyond that of carrying into effect the object for which it is appropriated, has, as we have seen, been long claimed and exercised by the federal government, yet such grants have always been professedly under the control of the general principle, that the works which might be thus aided, should be "of a general, not local; national, not state character." A disregard of this distinction would of necessity lead to

the subversion of the federal system. That even this is an unsafe one, arbitrary in its nature, and liable consequently to great abuses, is too obvious to require the confirmation of experience. It is, however, sufficiently definitive and imperative to my mind to forbid my approbation of any bill having the character of the one under consideration. I have given to its provisions all the reflection demanded by a just regard for the interests of those of our fellow-citizens who have desired its passage, and by the respect which is due to a co-ordinate branch of the government; but I am not able to view it in any other light than as a measure of purely local character; or, if it can be considered national, that no further distinction between the appropriate duties of the general and state governments need be attempted; for there can be no local interest that may not with equal propriety be denominated national. It has no connection with any established system of improvements; is exclusively within the limits of a state, starting at a point on the Ohio river, and running out sixty miles to an interior town; and even so far as the state is interested, conferring partial, instead of general advantages.

Considering the magnitude and importance of the power, and the embarrassments to which, from the very nature of the thing, its exercise must necessarily be subjected, the real friends of internal improvement ought not to be willing to confide it to accident and chance. What is properly national in its character or otherwise, is an inquiry which is often difficult of solution. The appropriations of one year, for an object which is considered national, may be rendered nugatory by the refusal of a succeeding Congress to continue the work, on the ground that it is local. No aid can be derived from the intervention of corporations. The question regards the character of the work, not that of those by whom it is to be accomplished. Notwithstanding the union of the government with the corporation, by whose immediate agency any work of internal improvement is carried on, the inquiry will still remain, Is it national, and conducive to the benefit of the whole, or local, and operating only to the advantage of a portion of the Union?

But, although I might not feel it to be my official duty to interpose the executive veto to the passage of a bill appropriating money for the construction of such works as are authorized by the states, and are national in their character, I do not wish to be understood as expressing an opinion that it is expedient at this time, for the general government to embark in a system of this kind; and, anxious that my constituents should be possessed of my views on this as well as on all other subjects which they have committed to my discretion, I shall state them frankly and briefly. Besides many minor considerations, there are two prominent views of the subject which I think are well entitled to your serious attention, and will, I hope, be maturely weighed by the people.

From the official communication submitted to you, it appears, that if no adverse or unforeseen contingenc happens in our foreign relations, and no unusual diversion be made of the funds set apart for the payment of the national debt, we may look with confidence to its entire extinguishment in the short period of four years. The extent to which this pleasing anticipation is dependent upon the policy which may be pursued in relation to measures of the character of the one now under consideration, must be obvious to all, and equally so that the events of the present session are well calculated to awaken public solicitude upon the subject. By the statement from the Treasury department, and those from the clerks of the Senate and House of Representatives, herewith submitted, it appears that the bills which have passed into laws, and those which, in all probability, will pass before the adjournment of Congress, anticipate appropriations which, with ordinary expenditures for the support of government, will exceed considerably the amount in the treasury for the year 1830. Thus, whilst we are dismissing the revenues by a reduction of the duties on tea, coffee, and cocoa, the appropriations for internal improvement are increasing beyond the available means in the treasury; and if to this calculation be added the amounts contained in bills which are pending before the two houses, it may be safely affirmed that ten millions of dollars would not make up the excess over the treasury receipts,

unless the payment of the national debt be postponed, and the means now pledged to that object applied to those enumerated in these bills. Without a well-regulated system of internal improvement, this exhausting mode of appropriation is not likely to be avoided, and the plain consequence must be, either a continuance of the national debt, or a resort to additional taxes.

Although many of the states, with a laudable zeal, and under the influence of an enlightened policy, are successively applying their separate efforts to works of this character, the desire to enlist the aid of the general government in the construction of such as, from their nature, ought to devolve upon it, and to which the means of the individual states are inadequate, is both rational and patriotic; and if that desire is not gratified now, it does not follow that it never will be. The general intelligence and public spirit of the American people furnish a sure guarantee, that, at the proper time, this policy will be made to prevail under circumstances more auspicious to its successful prosecution than those which now exist. But, great as this object undoubtedly is, it is not the only one which demands the fostering care of the government. The preservation and success of the republican principle rest with us. To elevate its character, and extend its influence, rank among our most important duties; and the best means to accomplish this desirable end, are those which will rivet the attachment of our citizens to the government of their choice, by the comparative lightness of their public burdens, and by the attraction which the superior success of its operations will present to the admiration and respect of the world. Through the favor of an overruling and indulgent Providence, our country is blessed with general prosperity, and our citizens exempted from the pressure of taxation which other less favored portions of the human family are obliged to bear; yet it is true that many of the taxes collected from our citizens, through the medium of imposts, have, for a considerable period, been onerous. In many particulars, these taxes have borne severely upon the laboring and less prosperous classes of the community, being imposed on the necessaries of life, and this, too, in cases where the

burden was not relieved by the consciousness that it would ultimately contribute to make us independent of foreign nations for articles of prime necessity, by the encouragement of their growth and manufacture at home. They have been cheerfully borne, because they were thought to be necessary to the support of government, and the payment of the debts unavoidably incurred in the acquisition and maintenance of our national rights and liberties. But have we a right to calculate on the same cheerful acquiescence, when it is known that the necessity for their continuance would cease, were it not for irregular, improvident, and unequal appropriations of the public funds? Will not the people demand, as they have a right to do, such a prudent system of expenditure as will pay the debts of the Union, and authorize the reduction of every tax to as low a point as the wise observance of the necessity to protect that portion of our manufactures and labor, whose prosperity is essential to our national safety and independence, will allow? When the national debt is paid, the duties upon those articles which we do not raise may be repealed with safety, and still leave, I trust, without oppression to any section of the country, an accumulating surplus fund, which may be beneficially applied to some well-digested system of improvement.

Under this view, the question, as to the manner in which the federal government can, or ought to embark in the construction of roads and canals, and the extent to which it may impose burdens on the people for these purposes, may be presented on its own merits, free of all disguise, and of every embarrassment except such as may arise from the constitution itself. Assuming these suggestions to be correct, will not our citizens require the observance of a course by which they can be effected? Ought they not to require it? With the best disposition to aid, as far as I can conscientiously, in the furtherance of works of internal improvement, my opinion is, that the soundest views of national policy, at this time, point to such a course. Besides the avoidance of an evil influence upon the local concerns of the country, how solid is the advantage which the government will reap from it in the elevation of its

character! How gratifying the effect of presenting to the world the sublime spectacle of a republic, of more than twelve millions of happy people, in the fifty-fourth year of her existence—after having passed through two protracted wars, the one for the acquisition, and the other for the maintenance of liberty—free from debt, and with all her her immense resources unfettered! What a salutary influence would not such an exhibition exercise upon the cause of liberal principles and free government throughout the world! Would we not ourselves find, in its effect, an additional guarantee that our political institutions will be transmitted to the most remote posterity without decay? A course of policy destined to witness events like these, cannot be benefitted by a legislation which tolerates a scramble for appropriations that have no relation to any general system of improvement, and whose good effects must of necessity be very limited. In the best view of these appropriations, the abuses to which they lead, far exceed the good which they are capable of promoting. They may be resorted to as artful expedients to shift upon the government the losses of unsuccessful private speculation, and thus, by ministering to personal ambition and self-aggrandizement, tend to sap the foundations of public virtue, and taint the administration of the government with a demoralizing influence.

In the other view of the subject, and the only remaining one which it is my intention to present at this time, is involved the expediency of embarking in a system of internal improvement without a previous amendment of the constitution, explaining and defining the precise powers of the federal government over it. Assuming the right to appropriate money to aid in the construction of national works, to be warranted by the contemporaneous and continued exposition of the constitution, its insufficiency for the successful prosecution of them must be admitted by all candid minds. If we look to usage to define the extent of the right, that will be found so variant, and embracing so much that has been overruled, as to involve the whole subject in great uncertainty, and to render the execution of our respective duties in relation to it replete with difficulty and embarrassment. It is in regard

to such works and the acquisition of additional territory, that the practice obtained its first footing. In most, if not all other disputed questions of appropriation, the construction of the constitution may be regarded as unsettled, if the right to apply money, in the enumerated cases, is placed on the ground of usage.

This subject has been of much, and, I may add, painful reflection to me. It has bearings that are well calculated to exert a powerful influence upon our hitherto prosperous system of government, and which, on some accounts, may even excite despondency in the breast of an American citizen. I will not detain you with professions of zeal in the cause of internal improvements. If to be their friend is a virtue which deserves commendation, our country is blest with an abundance of it; for I do not suppose there is an intelligent citizen who does not wish to see them flourish. But though all are their friends, but few, I trust, are unmindful of the means by which they should be promoted; none certainly are so degenerate as to desire their success at the cost of that sacred instrument, with the preservation of which is indissolubly bound our country's hopes. If different impressions are entertained in any quarter; if it is expected that the people of this country, reckless of their constitutional obligation, will prefer their local interest to the principles of the Union, such expectations will in the end be disappointed; or, if it be not so, then indeed has the world but little to hope from the example of a free government. When an honest observance of constitutional compacts cannot be obtained from communities like ours, it need not be anticipated elsewhere; and the cause in which there has been so much martyrdom, and from which so much was expected by the friends of liberty, may be abandoned, and the degrading truth, that man is unfit for self-government, admitted. And this will be the case, if *expediency* be made a rule of construction in interpreting the constitution. Power, in no government, could desire a better shield for the insidious advances which is ever ready to make up the checks that are designed to restrain its action.

But I do not entertain such gloomy apprehensions. If it be the wish of the people that the construction of roads

and canals should be conducted by the federal government, it is not only highly expedient, but indispensably necessary, that a previous amendment of the constitution, delegating the necessary power, and defining and restricting its exercise with reference to the sovereignty of the states, should be made. Without it, nothing extensively useful can be effected. The right to exercise as much jurisdiction as is necessary to preserve the works, and to raise funds by the collection of tolls to keep them in repair, cannot be dispensed with. The Cumberland road should be an instructive admonition of the consequences of acting without this right. Year after year, contests are witnessed, growing out of efforts to obtain the necessary appropriations for completing and repairing this useful work. Whilst one Congress may claim and exercise the power, a succeeding one may deny it; and this fluctuation of opinion must be unavoidably fatal to any scheme which, from its extent, would promote the interests and elevate the character of the country. The experience of the past has shown that the opinion of Congress is subject to such fluctuations.

If it be the desire of the people that the agency of the federal government should be confined to the appropriation of money in aid of such undertakings, in virtue of state authorities, then the occasion, the manner, and the extent of the appropriations should be made the subject of constitutional regulation. This is the more necessary, in order that they may be equitable among the several states; promote harmony between different sections of the Union and their representatives; preserve other parts of the constitution from being undermined by the exercise of doubtful powers, or the too great extension of those which are not so; and protect the whole subject against the deleterious influence of combinations to carry by concert, measures which, considered by themselves, might meet but little countenance. That a constitutional adjustment of this power upon equitable principles is in the highest degree desirable, can scarcely be doubted; nor can it fail to be promoted by every sincere friend to the success of our political institutions. In no government are appeals to the source of power in cases of real

doubt more suitable than in ours. No good motive can be assigned for the exercise of power by the constituted authorities, while those for whose benefit it is to be exercised have not conferred it, and may not be willing to confer it. It would seem to me that an honest application of the conceded powers of the general government to the advancement of the common weal, presents a sufficient scope to satisfy a reasonable ambition. The difficulty and supposed impracticability of obtaining an amendment of the constitution in this respect is, I firmly believe, in a great degree unfounded. The time has never yet been when the patriotism and intelligence of the American people were not fully equal to the greatest exigency; and it never will, when the subject calling forth their interposition is plainly presented to them. To do so with the questions involved in this bill, and to urge them to an early, zealous and full consideration of their deep importance, is in my estimation among the highest of our duties.

A supposed connection between appropriations for internal improvement and the system of protecting duties, growing out of the anxieties of those more immediately interested in their success, has given rise to suggestions which it is proper I should notice on this occasion. My opinions on these subjects have never been concealed from those who had a right to know them. Those which I have entertained on the latter have frequently placed me in opposition to individuals, as well as communities, whose claims upon my friendship and gratitude are of the strongest character; but I trust there has been nothing in my public life which has exposed me to the suspicion of being thought capable of sacrificing my views of duty to private considerations, however strong they may have been, or deep the regrets which they are capable of exciting.

As long as the encouragement of domestic manufactures is directed to national ends, it shall receive from me a temperate but steady support. There is no necessary connection between it and the system of appropriations. On the contrary, it appears to me that the supposition of their dependence upon each other is calculated to excite

the prejudices of the public against both. The former is sustained on the grounds of its consistency with the letter and spirit of the constitution, of its origin being traced to the assent of all the parties to the original compact, and of its having the support and approbation of a majority of the people; on which account it is at least entitled to a fair experiment. The suggestions to which I have alluded, refer to a forced continuance of the national debt, by means of large appropriations, as a substitute for the security which the system derives from the principles on which it has hitherto been sustained. Such a course would certainly indicate either an unreasonable distrust of the people, or a consciousness that the system does not possess sufficient soundness for its support, if left to their voluntary choice and its own merits. Those who suppose that any policy thus founded can be long upheld in this country, have looked upon its history with eyes very different from mine. This policy, like every other, must abide the will of the people, who will not be likely to allow any device, however specious, to conceal its character and tendency.

In presenting these opinions, I have spoken with the freedom and candor which I thought the occasion for their expression called for; and now respectfully return the bill which has been under consideration, for your further deliberation and judgment.

ANDREW JACKSON.

BANK VETO,

JULY 10, 1832.

To the Senate:

The bill to "modify and continue" the act entitled "An act to incorporate the subscribers to the Bank of the United States," was presented to me on the 4th of July instant. Having considered it with that solemn regard to the principles of the constitution which the day

was calculated to inspire, and come to the conclusion that it ought not to become a law, I herewith return it to the Senate, in which it originated, with my objections.

A bank of the United States is in many respects convenient for the government and useful to the people. Entertaining this opinion, and deeply impressed with the belief that some of the powers and privileges possessed by the existing bank are unauthorized by the constitution, subversive of the rights of the states, and dangerous to the liberties of the people, I felt it my duty, at an early period of my administration, to call the attention of Congress to the practicability of organizing an institution combining all its advantages, and obviating these objections. I sincerely regret, that in the act before me, I can perceive none of those modifications of the bank charter which are necessary, in my opinion, to make it compatible with justice, with sound policy, or with the constitution of our country.

The present corporate body, denominated the President, Directors, and Company of the Bank of the United States, will have existed, at the time this act is intended to take effect, twenty years. It enjoys an exclusive privilege of banking, under the authority of the general government, a monopoly of its favor and support, and, as a necessary consequence, almost a monopoly of the foreign and domestic exchange. The powers, privileges, and favors bestowed upon it, in the original charter, by increasing the value of the stock far above its par value, operated as a gratuity of many millions to the stockholders.

An apology may be found for the failure to guard against this result, in the consideration that the effect of the original act of incorporation could not be certainly foreseen at the time of its passage. The act before me proposes another gratuity to the holders of the same stock, and, in many cases, to the same men, of at least seven millions more. This donation finds no apology in any uncertainty as to the effect of the act. On all hands it is conceded that its passage will increase, at least, twenty or thirty per cent. more, the market price of the stock, subject to the payment of the annuity of $200,000 per year secured by the

act; thus adding, in a moment, one fourth to its par value. It is not our own citizens only who are to receive the bounty of our government. More than eight millions of the stock of this bank are held by foreigners. By this act, the American republic proposes virtually to make them a present of some millions of dollars. For these gratuities to foreigners, and to some of our own opulent citizens, the act secures no equivalent whatever. They are the certain gains of the present stockholders under the operation of this act, after making full allowance for the payment of the bonus.

Every monopoly, and all exclusive privileges are granted at the expense of the public, which ought to receive a fair equivalent. The many millions which this act proposes to bestow on the stockholders of the existing bank, must come directly or indirectly out of the earnings of the American people. It is due to them, therefore, if their government sell monopolies and exclusive privileges, that they should at least exact for them as much as they are worth in open market. The value of the monopoly in this case may be correctly ascertained. The twenty-eight millions of stock would probably be at an advance of fifty per cent., and command in the market at least forty-two millions of dollars, subject to the payment of the present bonus. The present value of the monopoly, therefore, is seventeen millions of dollars, and this act proposes to sell for three millions, payable in fifteen annual instalments of $200,000 each.

It is not conceivable how the present stockholders can have any claim to the special favor of the government. The present corporation has enjoyed its monopoly during the period stipulated in the original contract. If we must have such a corporation, why should not the government sell out the whole stock, and thus secure to the people the full market value of the privileges granted? Why should not Congress create and sell twenty-eight millions of stock, incorporating the purchasers with all the powers and privileges secured in this act, and put the premium upon the sales into the treasury?

But this act does not permit competition in the purchase of this monopoly. It seems to me predicated on

the erroneous idea that the present stockholders have a prescriptive right not only to the favor, but to the bounty of government. It appears that more than a fourth part of the stock is held by foreigners, and the residue is held by a few hundred of our own citizens, chiefly of the richest class. For their benefit does this act exclude the whole American people from competition in the purchase of this monopoly, and dispose of it for many millions less than it is worth. This seems the less excusable, because some of our citizens, not now stockholders, petitioned that the door of competition might be opened, and offered to take a charter on terms much more favorable to the government and country.

But this proposition, although made by men whose aggregate wealth is believed to be equal to all the private stock in the existing bank, has been set aside, and the bounty of our government is proposed to be again bestowed on the few who have been fortunate enough to secure the stock, and at this moment wield the power of the existing institution. I cannot perceive the justice or policy of this course. If our government must sell monopolies, it would seem to be its duty to take nothing less than their full value; and if gratuities must be made once in fifteen or twenty years, let them not be bestowed on the subjects of a foreign government, nor upon a designated and favored class of men in our own country. It is but justice and good policy, as far as the nature of the case will admit, to confine our favors to our own fellow-citizens, and let each in his turn enjoy an opportunity to profit by our bounty. In the bearings of the act before me, upon these points, I find ample reasons why it should not become a law.

It has been urged as an argument in favor of rechartering the present bank, that the calling in its loans will produce great embarrassment and distress. The time allowed to close its concerns is ample; and if it has been well managed, its pressure will be light, and heavy only in case its management has been bad. If, therefore, it shall produce distress, the fault will be its own; and it would furnish a reason against renewing a power which has been so obviously abused. But will there ever be a

time when this reason will be less powerful? To acknowledge its force, is to admit that the bank ought to be perpetual; and, as a consequence, the present stockholders, and those inheriting their rights as successors, be established a privileged order, clothed both with great political power, and enjoying immense pecuniary advantages from their connection with the government.

The modifications of the existing charter, proposed by this act, are not such, in my view, as make it consistent with the rights of the states or the liberties of the people. The qualification of the right of the bank to hold real estate, the limitation of its power to establish branches, and the power reserved to Congress to forbid the circulation of small notes, are restrictions comparatively of little value or importance. All the objectionable principles of the existing corporation, and most of its odious features, are retained without alleviation.

The fourth section provides "that the notes or bills of the said corporation, although the same be on the faces thereof, respectively, made payable at one place only, shall, nevertheless, be received by the said corporation at the bank, or at any of the offices of discount and deposit thereof, if tendered in liquidation or payment of any balance or balances due to said corporation, or to such office of discount and deposit, from any other incorporated bank." This provision secures to the state banks a legal privilege in the Bank of the United States, which is withheld from all private citizens. If a state bank in Philadelphia owe the Bank of the United States, and have notes issued by the St. Louis branch, it can pay the debt with those notes; but if a merchant, mechanic or other private citizen be in like circumstances, he cannot, by law, pay his debts with those notes; but must sell them at a discount, or send them to St. Louis to be cashed. This boon conceded to the state banks, though not unjust in itself, is most odious; because it does not measure out equal justice to the high and the low, the rich and the poor. To the extent of its practical effect, it is a bond of union, among the banking establishments of the nation, erecting them into an interest separate from that of the people; and its necessary tendency is to unite the Bank of the

United States and the state banks in any measure which may be thought conducive to their common interest.

The ninth section of the act recognizes principles of worse tendency than any provision of the present charter. It enacts that "the cashier of the bank shall annually report to the Secretary of the Treasury the names of all the stockholders who are not resident citizens of the United States; and, on the application of the treasurer of any state, shall make out and transmit to such treasurer a list of stockholders residing in, or citizens of such state, with the amount of stock owned by each." Although this provision, taken in connection with a decision of the Supreme Court, surrenders, by its silence, the right of the states to tax the banking institutions created by this corporation, under the name of branches, throughout the Union, it is evidently intended to be construed as a concession of their right to tax that portion of the stock which may be held by their own citizens and residents. In this light, if the act becomes a law, it will be understood by the states, who will probably proceed to levy a tax equal to that paid upon the stock of the banks incorporated by themselves. In some states that tax is now one per cent. either on the capital or on the shares, and that may be assumed as the amount which all citizens or resident stockholders would be taxed under the operation of this act. As it is only the stock *held* in the states, and not that *employed* between them, which would be subject to taxation, and as the names of foreign stockholders are not to be reported to the treasurers of the states, it is obvious that the stock held by them will be exempt from this burden. Their annual profits will, therefore, be one per cent. more than the citizen stockholders; and, as the annual dividends of the bank may be safely estimated at seven per cent., the stock will be worth ten or fifteen per cent. more to foreigners than to citizens of the United States. To appreciate the effect which this state of things will produce, we must take a brief review of the operations and present condition of the Bank of the United States.

By documents submitted to Congress at the present session, it appears that on the 1st of January, 1832, of

the twenty-eight millions of private stock in the corporation, $8,405,500 were held by foreigners, mostly of Great Britain. The amount of stock held in the nine western and south-western states, is $140,200, and in the four southern states, is $5,623,100, and in the middle and eastern states, is about $13,522,000. The profits of the bank in 1831, as shown in a statement to Congress, were about $3,455,598; of this, there accrued in the nine western states, about $1,640,048; in the four southern states, about $352,507; and in the middle and eastern states, about $1,463,041 As little stock is held in the west, it is obvious that the debt of the people in that section, to the bank, is principally a debt to the eastern and foreign stockholders; that the interest they pay upon it, is carried into the eastern states, and into Europe; and that it is a burden upon their industry, and a drain of their currency, which no country can bear without inconvenience and occasional distress. To meet this burden, and equalize the exchange operations of the bank, the amount of specie drawn from those states, through its branches, within the last two years, as shown by its official reports, was about $6,000,000. More than half a million of this amount does not stop in the eastern states, but passes on to Europe, to pay the dividends of the foreign stockholders. In the principle of taxation recognized by this act, the western states find no adequate compensation for this perpetual burden on their industry, and drain of their currency. The branch bank at Mobile made last year, $95,140; yet under the provisions of this act, the state of Alabama can raise no revenue from these profitable operations, because not a share of the stock is held by any of her citizens. Mississippi and Missouri are in the same condition, in relation to the branches at Natchez and St. Louis; and such, in a greater or less degree, is the condition of every western state. The tendency of the plan of taxation which this act proposes, will be to place the whole United States in the same relation to foreign countries which the western states now bear to the eastern. When, by a tax on resident stockholders, the stock of this bank is made worth ten or fifteen per cent. more to foreigners than to residents, most of it will inevidently leave the country.

Thus will this provision, in its practical effect, deprive the eastern as well as the southern and western states, of the means of raising a revenue from the extension of business and great profits of the institution. It will make the American people debtors to aliens, in nearly the whole amount due to this bank, and send across the Atlantic from two to five millions of specie every year to pay the bank dividends.

In another of its bearings this provision is fraught with danger. Of the twenty-five directors of this bank, five are chosen by the government, and twenty by the citizen stockholders. From all voice in these elections, the foreign stockholders are excluded by the charter. In proportion, therefore, as the stock is transferred to foreign holders, the extent of suffrage in the choice of directors is curtailed.

Already is almost a third of the stock in foreign hands, and not represented in elections. It is constantly passing out of the country; and this act will accelerate its departure. The entire control of the institution would necessarily fall into the hands of a few citizen stockholders; and the ease with which the object would be accomplished, would be a temptation to designing men to secure that control in their own hands, by monopolizing the remaining stock. There is danger that a president and directors would then be able to elect themselves from year to year, and, without responsibility or control, manage the whole concerns of the bank during the existence of its charter. It is easy to conceive that great evils to our country and its institutions might flow from such a concentration of power in the hands of a few men, irresponsible to the people.

Is there no danger to our liberty and independence in a bank, that in its nature has so little to bind it to our country? The president of the bank has told us that most of the state banks exist by its forbearance. Should its influence become concentred, as it may under the operation of such an act as this, in the hands of a self-elected directory, whose interests are identified with those of the foreign stockholder, will there not be cause to tremble for the purity of our elections in peace, and for

the independence of our country in war? Their power would be great whenever they might choose to exert it; but if this monopoly were regularly renewed every fifteen or twenty years, on terms proposed by themselves, they might seldom in peace put forth their strength to influence elections or control the affairs of the nation. But if any private citizen or public functionary should interpose to curtail its powers, or prevent a renewal of its privileges, it cannot be doubted that he would be made to feel its influence

Should the stock of the bank principally pass into the hands of the subjects of a foreign country, and we should unfortunately become involved in a war with that country, what would be our condition? Of the course which would be pursued by a bank almost wholly owned by the subjects of a foreign power, and managed by those whose interests, if not affections, would run in the same direction, there can be no doubt. All its operations within, would be in aid of the hostile fleets and armies without. Controlling our currency, receiving our public moneys, and holding thousands of our citizens in dependence, it would be more formidable and dangerous than the naval and military power of the enemy.

If we must have a bank with private stockholders, every consideration of sound policy, and every impulse of American feeling, admonishes that it should be *purely American*. Its stockholders should be composed exclusively of our own citizens, who at least ought to be friendly to our government, and willing to support it in times of difficulty and danger. So abundant is domestic capital, that competition in subscribing for the stock of local banks has recently led almost to riots. To a bank exclusively of American stockholders, possessing the powers and privileges granted by this act, subscriptions for two hundred millions of dollars could be readily obtained. Instead of sending abroad the stock of the bank in which the government must deposit its funds, and on which it must rely to sustain its credit in times of emergency, it would rather seem to be expedient to prohibit its sale to aliens under penalty of absolute forfeiture.

It is maintained by the advocates of the bank, that its

constitutionality, in all its features, ought to be considered as settled by precedent, and by the decision of the Supreme Court. To this conclusion I cannot assent. Mere precedent is a dangerous source of authority, and should not be regarded as deciding questions of constitutional power, except where the acquiescence of the people and the states can be considered as well settled. So far from this being the case on this subject, an argument against the bank might be based on precedent. One Congress, in 1791, decided in favor of a bank; another, in 1811, decided against it. One Congress, in 1815, decided against a bank; another, in 1816, decided in its favor. Prior to the present Congress, therefore, the precedents drawn from that source were equal. If we resort to the states, the expressions of legislative, judicial, and executive opinions against the bank have been probably to those in its favor as four to one. There is nothing in precedent, therefore, which, if its authority were admitted, ought to weigh in favor of the act before me.

If the opinion of the Supreme Court covered the whole ground of this act, it ought not to control the co-ordinate authorities of this government. The Congress, the executive, and the court, must each for itself be guided by its own opinion of the constitution. Each public officer who takes an oath to support the constitution, swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President, to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is of the supreme judges when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and on that point the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive, when acting in their legislative capacities, but to have only such influence as the force of their reasoning may deserve.

But in the case relied upon, the Supreme Court have not decided that all the features of this corporation are compatible with the constitution. It is true that the court have said that the law incorporating the bank is a constitutional exercise of power by Congress. But taking into view the whole opinion of the court, and the reasoning by which they have come to that conclusion, I understand them to have decided that, inasmuch as a bank is an appropriate means for carrying into effect the enumerated powers of the general government, therefore the law incorporating it is in accordance with that provision of the constitution which declares that Congress shall have power "to make all laws which shall be necessary and proper for carrying those powers into execution." Having satisfied themselves that the word "*necessary*" in the constitution, means "*needful*," "*requisite*," "*essential*," "*conducive to*," and that "a bank" is a convenient, a useful, and essential instrument in the prosecution of the government's "fiscal operations," they conclude that "to use one must be in the discretion of Congress," and that "the act to incorporate the Bank of the United States is a law made in pursuance of the constitution;" "but," say they, "where the law is not prohibited, and is really calculated to effect any of the objects entrusted to the government, to undertake here to inquire into the degree of its necessity, would be to pass the line which circumscribes the judicial department, and to tread on legislative ground."

The principle here affirmed is, that the "degree of its necessity," involving all the details of a banking institution, is a question exclusively for legislative consideration. A bank is constitutional; but it is the province of the legislature to determine whether this or that particular power, privilege, or exemption, "is necessary and proper" to enable the bank to discharge its duties to the government; and from their decision there is no appeal to the courts of justice. Under the decision of the Supreme Court, therefore, it is the exclusive province of Congress and the President to decide whether the particular features of this act are *necessary* and *proper*, in order to enable the bank to perform conveniently and ef-

ficiently the public duties assigned to it as a fiscal agent, and therefore constitutional; or *unnecessary* and *improper*, and therefore unconstitutional. Without commenting on the general principle affirmed by the Supreme Court, let us examine the details of this act in accordance with the rule of legislative action which they have laid down. It will be found that many of the powers and privileges conferred on it, cannot be supposed necessary for the purpose for which it is proposed to be created, and are not, therefore, means necessary to attain the end in view, and consequently not justified by the constitution.

The original act of incorporation, section 21st, enacts, "that no other bank shall be established, by any future law of the United States, during the continuance of the corporation hereby created, for which the faith of the United States is hereby pledged; *Provided*, Congress may renew existing charters for banks within the District of Columbia, not increasing the capital thereof; and may also establish any other bank or banks in said district, with capitals not exceeding in the whole six millions of dollars, if they shall deem it expedient." This provision is continued in force by the act before me, fifteen years from the 3d of March, 1836.

If Congress possessed the power to establish one bank, they had power to establish more than one, if, in their opinion, two or more banks had been "necessary" to facilitate the execution of the powers delegated to them in the constitution. If they possess the power to establish a second bank, it was a power derived from the constitution, to be exercised from time to time, and at any time when the interests of the country or the emergencies of the government might make it expedient. It was possessed by one Congress as well as another, and by all Congresses alike, and alike at every session. But the Congress of 1816 have taken it away from their successors for twenty years, and the Congress of 1832 proposed to abolish it for fifteen years more. It cannot be "*necessary*" or "*proper*" for Congress to barter away, or divest themselves of any of the powers vested in them by the constitution to be exercised for the public good. It is

not "*necessary*" to the efficiency of the bank, nor is it "*proper*" in relation to themselves and their successors. They may "*properly*" use the discretion vested in them, but they may not limit the discretion of their successors. This restriction on themselves, and grant of a monopoly to the bank, is therefore unconstitutional.

In another point of view, this provision is a palpable attempt to amend the constitution by an act of legislation. The constitution declares that "the Congress shall have power to exercise exclusive legislation, in all cases whatsoever," over the District of Columbia. Its constitutional power, therefore, to establish banks in the District of Columbia, and increase their capital at will, is unlimited and uncontrollable by any other power than that which gave authority to the constitution. Yet this act declares that Congress shall *not* increase the capital of existing banks, nor create other banks with capitals exceeding in the whole six millions of dollars. The constitution declares that Congress *shall* have power to exercise exclusive legislation over this district "*in all cases whatsoever;*" and this act declares they shall not. Which is the supreme law of the land? This provision cannot be "*necessary*," or "*proper*," or "*constitutional*," unless the absurdity be admitted, that, whenever it be "necessary and proper," in the opinion of Congress, they have a right to barter away one portion of the powers vested in them by the constitution, as a means of executing the rest.

On two subjects only, does the constitution recognize in Congress the power to grant exclusive privileges or monopolies. It declares that "Congress shall have power to promote the progress of science and useful arts by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries."

Out of this express delegation of power, have grown our laws of patents and copy-rights. As the constitution expressly delegates to Congress the power to grant exclusive privileges, in these cases, as the means of executing the substantive power "to promote the progress of science and useful arts," it is consistent with the fair rules of construction, to conclude that such a power was not

intended to be granted as a means of accomplishing any other end. On every other subject which comes within the scope of congressional power, there is an ever-living discretion in the use of proper means, which cannot be restricted or abolished without an amendment of the constitution. Every act of Congress, therefore, which attempts by grants or monopolies, or sales of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to execute its delegated powers, is equivalent to a legislative amendment of the constitution, and palpably unconstitutional.

This act authorizes and encourages transfers of its stock to foreigners, and grants them an exemption from all state and national taxation. So far from being "*necessary and proper*" that the bank should possess this power to make it a safe and efficient agent of the government in its fiscal operations, it is calculated to convert the Bank of the United States into a foreign bank, to impoverish our people in time of peace, to disseminate a foreign influence through every section of the republic, and in war, to endanger our independence.

The several states reserved the power, at the formation of the constitution, to regulate and control titles and transfers of real property; and most, if not all of them, have laws disqualifying aliens from acquiring or holding lands within their limits. But this act, in disregard of the undoubted right of the states to prescribe such disqualifications, gives to aliens, stockholders in this bank, an interest and title, as members of the corporation, to all the real property it may acquire within any of the states of this Union. This privilege granted to aliens is not "*necessary*" to enable the bank to perform its public duties, nor in any sense "*proper*," because it is vitally subversive of the rights of the states.

The government of the United States have no constitutional power to purchase lands within the states, except "for the erection of forts, magazines, arsenals, dock-yards and other needful buildings;" and even for these objects, only "by the consent of the legislature of the state in which the same shall be." By making themselves

stockholders in the bank, and granting to the corporation the power to purchase lands for other purposes, they assume a power not granted in the constitution, and grant to others what they do not themselves possess. It is not "*necessary*" to the receiving, safe keeping, or transmission of the funds of the government, that the bank should possess this power; and it is not "*proper*" that Congress should thus enlarge the powers delegated to them in the constitution.

The old Bank of the United States possessed a capital of only eleven millions of dollars, which was found fully sufficient to enable it, with despatch and safety, to perform all the functions required of it by the government. The capital of the present bank is thirty-five millions of dollars, at least twenty-four more than experience has proved to be "*necessary*" to enable a bank to perform its public functions. The public debt which existed during the period of the old bank, and on the establishment of the new, has been nearly paid off, and our revenue will soon be reduced. This increase of capital is therefore not for public, but for private purposes.

The government is the only "*proper*" judge where its agents should reside and keep their offices, because it best knows where their presence will be "*necessary*." It cannot, therefore, be "*necessary*" or "*proper*" to authorize the bank to locate branches where it pleases to perform the public service, without consulting the government, and contrary to its will. The principle laid down by the Supreme Court concedes that Congress cannot establish a bank for purposes of private speculation and gain, but only as a means of executing the delegated powers of the general government. By the same principle, a branch bank cannot constitutionally be established for other than public purposes. The power which this act gives to establish two branches in any state, without the injunction or request of the government, and for other than public purposes, is not "*necessary*" to the due *execution* of the powers delegated to Congress.

The bonus which is exacted from the bank is a confession, upon the face of the act, that the powers granted by it are greater than are "*necessary*" to its character of a

fiscal agent. The government does not tax its officers and agents for the privilege of serving it. The bonus of a million and a half required by the original charter, and that of three millions proposed by this act, are not exacted for the privilege of giving "the necessary facilities for transferring the public funds from place to place, within the United States or the territories thereof, and for distributing the same in payment of the public creditors, without charging commission or claiming allowance on account of the difference of exchange," as required by the act of incorporation, but for something more beneficial to the stockholders. The original act declares, that it (the bonus) is granted "in consideration of the exclusive privileges and benefits conferred by this act upon the said bank," and the act before me declares it to be "in consideration of the exclusive benefits and privileges continued by this act to the said corporation for fifteen years as aforesaid." It is, therefore, for "exclusive privileges and benefits" conferred for their own use and emolument, and not for the advantage of the government, that a bonus is exacted. These surplus powers, for which the bank is required to pay, cannot surely be "*necessary*" to make it the fiscal agent of the treasury. If they were, the exaction of a bonus for them would not be "*proper*."

It is maintained by some that the bank is a means of executing the constitutional power "to coin money, and regulate the value thereof." Congress have established a mint to coin money, and passed laws to regulate the value thereof. The money so coined, with the value so regulated, and such foreign coins as Congress may adopt, are the only currency known to the constitution. But if they have other power to regulate the currency, it was conferred to be exercised by themselves, and not to be transferred to a corporation. If the bank be established for that purpose, with a charter unalterable without its consent, Congress have parted with their power for a term of years, during which the constitution is a dead letter. It is neither necessary nor proper to transfer its legislative power to such a bank, and therefore unconstitutional.

By its silence, considered in connection with the decision of the Supreme Court, in the case of McCulloch

against the state of Maryland, this act takes from the states the power to tax a portion of the banking business carried on within their limits, in subversion of one of the strongest barriers which secured them against federal encroachments. Banking, like farming, manufacturing, or any other occupation or profession, is *a business*, the right to follow which is not originally derived from the laws. Every citizen, and every company of citizens, in all of our states, possessed the right, until the state legislatures deemed it good policy to prohibit private banking by law. If the prohibitory state laws were now repealed, every citizen would again possess the right. The state banks are a qualified restoration of the right which has been taken away by the laws against banking, guarded by such provisions and limitations as in the opinion of the state legislatures the public interest requires. These corporations, unless there be an exemption in their charter, are, like private bankers and banking companies, subject to state taxation. The manner in which these taxes shall be laid, depends wholly on legislative discretion. It may be upon the bank, upon the stock, upon the profits, or in any other mode which the sovereign power shall will.

Upon the formation of the constitution the states guarded their taxing power with peculiar jealousy. They surrendered it only as regards imports and exports. In relation to every other object within their jurisdiction, whether persons, property, business, or professions, it was secured in as ample a manner as it was before possessed. All persons, though United States' officers, are liable to a poll tax by the states within which they reside. The lands of the United States are liable to the usual land tax, except in the new states, from whom agreements that they will not tax unsold lands are exacted when they are admitted into the Union; horses, wagons, any beasts or vehicles, tools or property belonging to private citizens, though employed in the service of the United States, are subject to state taxation. Every private business, whether carried on by an officer of the general government or not, whether it be mixed with public concerns or not, even if it be carried on by the United States itself, separately or in partnership, falls within the scope of the taxing power of the state. Nothing comes more fully within it than

banks, and the business of banking, by whomsoever instituted and carried on. Over this whole subject matter, it is just as absolute, unlimited, and uncontrollable, as if the constitution never had been adopted, because, in the formation of that instrument, it was reserved without qualification.

The principle is conceded that the states cannot rightfully tax the operations of the general government. They cannot tax the money of the government deposited in the state banks, nor the agency of those banks in remitting it; but will any man maintain that their mere selection to perform this public service for the general government, would exempt the state banks and their ordinary business from state taxation? Had the United States, instead of establishing a bank at Philadelphia, employed a private banker to keep and transmit their funds, would it have deprived Pennsylvania of the right to tax his bank and his usual banking operations? It will not be pretended. Upon what principle, then, are the banking establishments of the Bank of the United States, and their usual banking operations, to be exempted from taxation? It is not their public agency or the deposits of the government which the states claim a right to tax, but their banks and their banking powers, instituted and exercised within state jurisdiction for their private emolument, those powers and privileges for which they pay a bonus, and which the states tax in their own banks. The exercise of these powers within a state, no matter by whom or under what authority, whether by private citizens in their original right, by corporate bodies created by the states, by foreigners or the agents of foreign governments located within their limits, forms a legitimate object of state taxation. From this and like sources, from the persons, property, and business that are found residing, located, or carried on under their jurisdiction, must the states, since the surrender of their right to raise a revenue from imports and exports, draw all the money necessary for the support of their governments and the maintenance of their independence. There is no more appropriate subject of taxation than banks, banking, and bank stocks, and none to which the states ought more pertinaciously to cling.

It cannot be *necessary* to the character of the bank as a fiscal agent of the government, that its private business should be exempted from that taxation to which all state banks are liable; nor can I conceive it "*proper*" that the substantive and most essential powers reserved by the states shall be thus attacked and annihilated as a means of executing the powers delegated to the general government. It may be safely assumed that none of those sages who had an agency in forming or adopting our constitution, ever imagined that any portion of the taxing power of the states, not prohibited to them nor delegated to Congress, was to be swept away and annihilated as a means of executing certain powers delegated to Congress.

If our power over means is so absolute that the Supreme Court will not call in question the constitutionality of an act of Congress, the subject of which "is not prohibited, and is really calculated to effect any of the objects entrusted to the government," although, as in the case before me, it takes away powers expressly granted to Congress, and rights scrupulously reserved to the states, it becomes us to proceed in our legislation with the utmost caution. Though not directly, our own powers and the rights of the states may be indirectly legislated away in the use of means to execute substantive powers. We may not enact that Congress shall not have the power of exclusive legislation over the District of Columbia, but we may pledge the faith of the United States that, as a means of executing other powers, it shall not be exercised for twenty years or forever. We may not pass an act prohibiting the states to tax the banking business carried on within their limits, but we may, as a means of executing power over other objects, place that business in the hands of our agents, and then declare it exempt from state taxation in their hands. Thus may our own powers and the rights of the states, which we cannot directly curtail or invade, be frittered away and extinguished in the use of means employed by us to execute other powers. That a Bank of the United States, competent to all the duties which may be required by the government, might be so organized as not to infringe on our own delegated pow-

ers, or the reserved rights of the states, I do not entertain a doubt. Had the executive been called upon to furnish the project of such an institution, the duty would have been cheerfully performed. In the absence of such a call, it is obviously proper that he should confine himself to pointing out those prominent features in the act presented, which, in his opinion, make it incompatible with the constitution and sound policy. A general discussion will now take place, eliciting new light, and settling important principles; and a new Congress, elected in the midst of such discussion, and furnishing an equal representation of the people according to the last census, will bear to the capitol the verdict of public opinion, and, I doubt not, bring this important question to a satisfactory result.

Under such circumstances, the bank comes forward and asks a renewal of its charter for a term of fifteen years, upon conditions which not only operate as a gratuity to the stockholders of many millions of dollars, but will sanction any abuses and legalize any encroachments.

Suspicions are entertained, and charges are made, of gross abuse and violation of its charter. An investigation unwillingly conceded, and so restricted in time as necessarily to make it incomplete and unsatisfactory, disclosed enough to excite suspicion and alarm. In the practices of the principal bank partially unveiled, in the absence of important witnesses, and in numerous charges confidently made, and as yet wholly uninvestigated, there was enough to induce a majority of the committee of investigation, a committee which was selected from the most able and honorable members of the House of Representatives, to recommend a suspension of further action upon the bill, and a prosecution of the inquiry. As the charter had yet four years to run, and as a renewal now was not necessary to the successful prosecution of its business, it was to have been expected that the bank itself, conscious of its purity, and proud of its character, would have withdrawn its application for the present, and demanded the severest scrutiny into all its transactions. In their declining to do so, there seems to be an additional

reason why the functionaries of the government should proceed with less haste and more caution in the renewal of their monopoly.

The bank is professedly established as an agent of the executive branches of the government, and its constitutionality is maintained on that ground. Neither upon the propriety of present action, nor upon the provisions of this act, was the executive consulted. It has had no opportunity to say that it neither needs nor wants an agent clothed with such powers, and favored by such exemptions. There is nothing in its legitimate functions which make it necessary or proper. Whatever interest or influence, whether public or private, has given birth to this act, it cannot be found either in the wishes or necessities of the executive department, by which present action is deemed premature, and the powers conferred upon its agent not only unnecessary, but dangerous to the government and country.

It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of heaven, and the fruits of superior industry, economy, and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farmers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government. There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me, there seems to be a wide and unnecessary departure from these just principles.

Nor is our government to be maintained, or our Union

preserved, by invasion of the rights and powers of the several states. In thus attempting to make our general government strong, we make it weak. Its true strength consists in leaving individuals and states, as much as possible, to themselves; in making itself felt, not in its power, but in its beneficence, not in its control, but in its protection, not in binding the states more closely to the centre, but leaving each to move unobstructed, in its proper orbit.

Experience should teach us wisdom. Most of the difficulties our government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government by our national legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by act of Congress. By attempting to gratify their desires, we have, in the results of our legislation, arrayed section against section, interest against interest, and man against man, in a fearful commotion, which threatens to shake the foundations of our Union. It is time to pause in our career, to review our principles, and, if possible, revive that devoted patriotism and spirit of compromise which distinguished the sages of the revolution and the fathers of our Union. If we cannot at once, in justice to the interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our government to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy.

I have now done my duty to my country. If sustained by my fellow-citizens, I shall be grateful and happy; if not, I shall find in the motives which impel me, ample grounds for contentment and peace. In the difficulties which surround us, and the dangers which threaten our institutions, there is cause for neither dismay nor alarm. For relief and deliverance, let us firmly rely on that kind Providence which, I am sure, watches with peculiar care

over the destinies of our republic, and on the intelligence and wisdom of our countrymen. Through *His* abundant goodness, and *their* patriotic devotion, our liberty and union will be preserved.

JACKSON'S SECOND INAUGURAL ADDRESS,

MARCH 4, 1833.

Fellow-Citizens:

The will of the American people, expressed through their unsolicited suffrages, calls me before you to pass through the solemnities preparatory to taking upon myself the duties of President of the United States for another term. For their approbation of my public conduct, through a period which has not been without its difficulties, and for this renewed expression of their confidence in my good intentions, I am at a loss for terms adequate to the expression of my gratitude. It shall be displayed, to the extent of my humble abilities, in continued efforts so to administer the government, as to preserve their liberty and promote their happiness.

So many events have occurred within the last four years, which have necessarily called forth, sometimes under circumstances the most delicate and painful, my views of the principles and policy which ought to be pursued by the general government, that I need, on this occasion, but allude to a few leading considerations, connected with some of them.

The foreign policy adopted by our government soon after the formation of our present constitution, and very generally pursued by successive administrations, has been crowned with almost complete success, and has elevated our character among the nations of the earth. To do justice to all, and to submit to wrong from none, has been, during my administration, its governing maxim; and so happy has been its results, that we are not only at peace

with all the world, but have few causes of controversy; and those of minor importance, remaining unadjusted.

In the domestic policy of this government, there are two objects which especially deserve the attention of the people and their representatives, and which have been, and will continue to be, the subjects of my unceasing solicitude. They are, the preservation of the rights of the states and the integrity of the Union.

These great objects are necessarily connected, and can only be attained by an enlightened exercise of the powers of each within its appropriate sphere, in conformity to the public will constitutionally expressed. To this end, it becomes the duty of all to yield a ready and patriotic submission to the laws constitutionally enacted, and thereby promote and strengthen a proper confidence in those institutions of the several states and of the United States, which the people themselves have ordained for their own government.

My experience in public concerns, and the observation of a life somewhat advanced, confirm the opinions long since imbibed by me, that the destruction of our state governments, or the annihilation of their control over the local concerns of the people, would lead directly to revolution and anarchy, and finally to despotism and military domination. In proportion, therefore, as the general government encroaches upon the rights of the states, in the same proportion does it impair its own power, and detract from its ability to fulfil the purposes of its creation. Solemnly impressed with these considerations, my countrymen will ever find me ready to exercise my constitutional powers in arresting measures which may directly or indirectly encroach upon the rights of the states, or tend to consolidate all political power in the general government. But, of equal, and indeed of incalculable importance, is the union of these states, and the sacred duty of all to contribute to its preservation by a liberal support of the general government in the exercise of its just powers. You have been wisely admonished to "accustom yourselves to think and speak of the Union as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing

whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of any attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts." Without union our independence and liberty would never have been achieved—without union they never can be maintained. Divided in twenty-four, or even a smaller number of separate communities, we shall see our internal trade burdened with numberless restraints and exactions; communication between distant points and sections obstructed, or cut off; our sons made soldiers to deluge with blood the fields they now till in peace; the mass of our people borne down and impoverished by taxes to support armies and navies; and military leaders at the head of their victorious legions becoming our lawgivers and judges. The loss of liberty, of all good government, of peace, plenty, and happiness, must inevitably follow a dissolution of the Union. In supporting it, therefore, we support all that is dear to the freeman and the philanthropist.

The time at which I stand before you is full of interest. The eyes of all nations are fixed on our republic. The event of the existing crisis will be decisive in the opinion of mankind of the practicability of our federal system of government. Great is the stake placed in our hands; great is the responsibility which must rest upon the people of the United States. Let us realize the importance of the attitude in which we stand before the world. Let us exercise forbearance and firmness. Let us extricate our country from the dangers which surround it, and learn wisdom from the lessons they inculcate.

PROTEST,

APRIL 15, 1834.

To the Senate of the United States:

It appears by the published journal of the Senate, that on the 26th of December last, a resolution was offered by a member of the Senate, which, after a protracted debate, was on the twenty-eighth day of March last modified by the mover, and passed by the votes of twenty-six Senators out of forty-six, who were present and voted, in the following words, viz:

"*Resolved*, That the President, in the late executive proceeding in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

Having had the honor, through the voluntary suffrages of the American people, to fill the office of President of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself. Without notice, unheard and untried, I thus find myself charged on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and constitution of my country.

It can seldom be necessary for any department of the government, when assailed in conversation or debate, or by the strictures of the press or of popular assemblies, to step out of its ordinary path for the purpose of vindicating its conduct, or of pointing out any irregularity or injustice in the manner of the attack. But when the chief executive magistrate is, by one of the most important branches of the government, in its official capacity, in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declared guilty of a breach of the laws and constitution, it is due to his station, to public opinion, and to proper self-respect, that the officer thus denounced should promptly expose the wrong which has been done.

In the present case, moreover, there is even a stronger necessity for such a vindication. By an express provision of the constitution, before the President of the United States can enter on the execution of his office, he is required to take an oath or affirmation in the following words:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

The duty of defending, so far as in him lies, the integrity of the constitution would indeed have resulted from the very nature of his office; but by thus expressing it in the official oath or affirmation, which, in this respect, differs from that of every other functionary, the founders of our republic have attested their sense of its importance, and have given to it a peculiar solemnity and force. Bound to the performance of this duty by the oath I have taken, by the strongest obligations of gratitude to the American people, and by the ties which unite my every earthly interest with the welfare and glory of my country; and perfectly convinced that the discussion and passage of the above-mentioned resolution were not only unauthorized by the constitution, but in many respects repugnant to its provisions and subversive of the rights secured by it to other co-ordinate departments, I deem it an imperative duty to maintain the supremacy of that sacred instrument, and the immunities of the department intrusted to my care, by all means consistent with my own lawful powers, with the rights of others, and with the genius of our civil institutions, To this end, I have caused this, my *solemn protest* against the aforesaid proceedings, to be placed on the files of the executive department, and to be transmitted to the Senate.

It is alike due to the subject, the Senate, and the people, that the views which I have taken of the proceedings referred to, and which compel me to regard them in the light which has been mentioned, should be exhibited at length, and with the freedom and firmness which are required by an occasion so unprecedented and peculiar.

Under the constitution of the United States, the pow-

ers and functions of the various departments of the federal government, and their responsibilities for violation or neglect of duty, are clearly defined or result by necessary inference. The legislative power, subject to the qualified negative of the President, is vested in the Congress of the United States, composed of the Senate and House of Representatives. The executive power is vested exclusively in the President, except that in the conclusion of treaties and in certain appointments to office, he is to act with the advice and consent of the Senate. The judicial power is vested exclusively in the Supreme and other courts of the United States, except in cases of impeachment, for which purpose the accusatory power is vested in the House of Representatives, and that of hearing and determining in the Senate. But although, for the special purposes which have been mentioned, there is an occasional intermixture of the powers of the different departments, yet, with these exceptions, each of the three great departments is independent of the others in its sphere of action; and when it deviates from that sphere, is not responsible to the others, further than it is expressly made so in the constitution. In every other respect, each of them is the co-equal of the other two, and all are the servants of the American people, without power or right to control or censure each other in the service of their common superior, save only in the manner and to the degree which that superior has prescribed.

The responsibilities of the President are numerous and weighty. He is liable to impeachment for high crimes and misdemeanors, and, on due conviction, to removal from office, and perpetual disqualification; and notwithstanding such conviction, he may also be indicted and punished according to law. He is also liable to the private action of any party who may have been injured by his illegal mandates or instructions, in the same manner and to the same extent as the humblest functionary. In addition to the responsibilities which may thus be enforced by impeachment, criminal prosecution, or suit at law, he is also accountable at the bar of public opinion, for every act of his administration. Subject only to the restraints of truth and justice, the free people of the

United States have the undoubted right, as individuals or collectively, orally or in writing, at such times, and in such language and form as they may think proper, to discuss his official conduct, and to express and promulgate their opinions concerning it. Indirectly, also, his conduct may come under review in either branch of the legislature, or in the Senate when acting in its executive capacity, and so far as the executive or legislative proceedings of these bodies may require it, it may be examined by them. These are believed to be the proper and only modes in which the President of the United States is to be held accountable for his official conduct.

Tested by these principles, the resolution of the Senate is wholly unauthorized by the constitution, and in derogation of its entire spirit. It assumes that a single branch of the legislative department may, for the purposes of a public censure, and without any view to legislation or impeachment, take up, consider, and decide upon the official acts of the executive. But in no part of the constitution is the President subjected to any such responsibility; and in no part of that instrument is any such power conferred on either branch of the legislature.

The justice of these conclusions will be illustrated and confirmed by a brief analysis of the powers of the Senate, and a comparison of their recent proceedings with those powers.

The high functions assigned by the constitution to the Senate, are in their nature either legislative, executive or judicial. It is only in the exercise of its judicial powers, when sitting as a court for the trial of impeachments, that the Senate is expressly authorized and necessarily required to consider and decide upon the conduct of the President or any other public officer. Indirectly, however, as has already been suggested, it may frequently be called on to perform that office. Cases may occur in the course of its legislative or executive proceedings, in which it may be indispensable to the proper exercise of its powers, that should inquire into, and decide upon, the conduct of the President or other public officers: and in every other such case, its constitutional right to do so is cheerfully conceded. But to authorize the Senate to

enter on such a task in its legislative or executive capacity, the inquiry must actually grow out of, and tend to some legislative or executive action; and the decision when expressed, must take the form of some appropriate legislative or executive act.

The resolution in question was introduced, discussed, and passed, not as a joint, but as a separate resolution. It asserts no legislative power; proposes no legislative action; and neither possesses the form nor any of the attributes of a legislative measure. It does not appear to have been entertained or passed, with any view or expectation of its issuing in a law or joint resolution, or in any other legislative action.

While wanting both the form and substance of a legislative measure, it is equally manifest that the resolution was not justified by any of the executive powers conferred upon the Senate. These powers relate exclusively to the consideration of treaties and nomination to office, and they are exercised in secret session, and with closed doors. This resolution does not apply to any treaty or nomination, and was passed in a public session.

Nor does this proceeding in any way belong to that class of incidental resolutions which relate to the officers of the Senate, to their chamber and other appurtenances, or to subjects of order, and other matters of like nature —in all which either house may lawfully proceed, without any co-operation with the other, or with the President.

On the contrary, the whole phraseology and sense of the resolution seem to be judicial. Its essence, true character, and only practical effect, are to be found in the conduct which it charges upon the President, in the judgment which it pronounces on that conduct. The resolution, therefore, though discussed and adopted by the Senate in its legislative capacity, is, in its office and in all its characteristics, essentially judicial.

That the Senate possess a high judicial power, and that instances may occur in which the President of the United States will be amenable to it, is undeniable. But under the provisions of the constitution, it would seem to be equally plain that neither the President nor any

other officer can be rightfully subject to the operation of the judicial power of the Senate, except in the cases and under the forms prescribed by the constitution.

The constitution declares that "the President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors;" that the House of Representatives "shall have the sole power of impeachments;" that the Senate "shall have the sole power to try all impeachments;" that "when sitting for that purpose, they shall be on oath or affirmation; that "when the President of the United States is tried, the chief justice shall preside;" that "no person shall be convicted without the concurrence of two thirds of the members present;" and that judgment shall not extend further than "to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States."

The resolution above quoted, charges in substance, that in certain proceedings, relating to the public revenue, the President has usurped authority and power not conferred upon him by the constitution and laws, and that in doing so he violated both. Any such act constitutes a high crime—one of the highest, indeed, which the President can commit—a crime which justly exposes to impeachment by the House of Representatives, and upon due conviction to removal from office, and to the complete and immutable disfranchisement prescribed by the constitution.

The resolution, then, was in substance an impeachment of the President; and in its passage, amounts to a declaration by a majority of the Senate, that he is guilty of an impeachable offence. As such, it is spread upon the journals of the Senate—published to the nation and to the world—made part of our enduring archives—and incorporated in the history of the age. The punishment of removal from office and future disqualification, does not, it is true, follow this decision: nor would it have followed the like decision, if the regular forms of proceeding had been pursued, because the requisite number did not concur in the result. But the moral influence of a

solemn declaration, by a majority of the Senate, that the accused is guilty of the offence charged upon him, has been as effectually secured, as if the like declaration had been made upon an impeachment expressed in the same terms. Indeed, a greater practical effect has been gained, because the votes given for the resolution, though not sufficient to authorize a judgment of guilty on an impeachment, were numerous enough to carry that resolution.

That the resolution does not expressly allege that the assumption of power and authority, which it condemns, was intentional and corrupt, is no answer to the preceding view of its character and effect.

The act thus condemned, necessarily implies volition and design in the individual to whom it is imputed, and being unlawful in its character, the legal conclusion is that it was prompted by improper motives, and committed with an unlawful intent. The charge is not of a mistake in the exercise of supposed powers, but of the assumption of powers not conferred by the constitution and laws, but in derogation of both, and nothing is suggested to excuse or palliate the turpitude of the act. In the absence of any such excuse or palliation, there is only room for one inference; and that is, that the intent was unlawful and corrupt. Besides, the resolution not only contains no mitigating suggestion, but, on the contrary, it holds up the act complained of as justly obnoxious to censure and reprobation; and thus as distinctly stamps it with impurity of motive, as if the strongest epithets had been used.

The President of the United States, therefore, has been, by a majority of his constitutional triers, accused and found guilty of an impeachable offence; but in no part of this proceeding have the directions of the constitution been observed.

The impeachment, instead of being preferred and prosecuted by the House of Representatives, originated in the Senate, and was prosecuted without the aid or concurrence of the other house. The oath or affirmation prescribed by the constitution, was not taken by the Senators; the chief justice did not preside; no notice of

the charge was given to the accused; and no opportunity afforded him to respond to the accusation, to meet his accusers face to face, to cross-examine the witnesses, to procure counteracting testimony, or to be heard in his defence. The safeguards and formalities which the constitution has connected with the power of impeachment, were doubtless supposed by the framers of that instrument, to be essential to the protection of the public servant, to the attainment of justice, and to the order, impartiality, and dignity of the procedure. These safeguards and formalities were not only practically disregarded, in the commencement and conduct of these proceedings, but, in their result, I find myself convicted by less than two thirds of the members present, of an impeachable offence.

In vain may it be alleged in defence of this proceeding, that the form of the resolution is not that of an impeachment or of judgment thereupon—that the punishment prescribed in the constitution does not follow its adoption, or that in this case no impeachment is to be expected from the House of Representatives. It is because it did not assume the form of an impeachment, that it is the more palpably repugnant to the constitution; for it is through that form only that the President is judicially responsible to the Senate; and though neither removal from office or future disqualification ensues, yet it is not to be presumed, that the framers of the constitution considered either or both of these results as constituting the whole of the punishment they prescribed. The judgment of guilty by the highest tribunal in the Union; the stigma it would inflict on the offender, his family and fame; and the perpetual record on the journal, handing down to future generations the story of his disgrace, were doubtless regarded by them as the bitterest portions, if not the very essence, of that punishment. So far, therefore, as some of its most material parts are concerned, the passage recording and promulgation of the resolution are an attempt to bring them on the President, in a manner unauthorized by the constitution. To shield him and other officers who are liable to impeachment, from consequences so momentous, except when really merited by official delinquencies, the constitution has most cau-

tiously guarded the whole process of impeachment. A majority of the House of Representatives must think the officer guilty before he can be charged. Two thirds of the Senate must pronounce him guilty, or he is deemed to be innocent. Forty-six Senators appear by the journal to have been present when the vote on the resolution was taken. If, after all the solemnities of an impeachment, thirty of those Senators had voted that the President was guilty, yet would he have been acquitted; but by the mode of proceeding adopted in the present case, a lasting record of conviction has been entered up by the votes of twenty-six Senators, without an impeachment or trial; whilst the constitution expressly declares, that to the entry of such a judgment on accusation by the House of Representatives, a trial by the Senate, and a concurrence of two thirds in the vote of guilty, shall be indispensable pre-requisites.

Whether or not an impeachment was to be expected from the House of Representatives, was a point on which the Senate had no constitutional right to speculate, and in respect to which, even had it possessed the spirit of prophecy, its anticipations would have furnished no just grounds for this procedure. Admitting that there was reason to believe that a violation of the constitution and laws had been actually committed by the President, still it was the duty of the Senate, as his sole constitutional judges, to wait for an impeachment until the other House should think proper to prefer it. The members of the Senate could have no right to infer that no impeachment was intended. On the contrary, every legal and rational presumption on their part ought to have been, that if there was good reason to believe him guilty of an impeachable offence, the House of Representatives would perform its constitutional duty, by arraigning the offender before the justice of his country. The contrary presumption would involve an implication derogatory to the integrity and honor of the representatives of the people. But suppose the suspicion thus implied were actually entertained, and for good cause, how can it justify the assumption by the Senate of powers not conferred by the constitution?

It is only necessary to look at the condition in which the Senate and President have been placed by this procedure, to perceive its utter incompatibility with the provisions and spirit of the constitution, and with the plainest dictates of humanity and justice.

If the House of Representatives shall be of opinion that there is just ground for the censure pronounced upon the President, then it will be the solemn duty of the house to prefer the proper accusation, and to cause him to be brought to trial by the constitutional tribunal. But in what condition would he find that tribunal? A majority of its members have already considered the case, and have not only formed, but expressed a deliberate judgment upon its merits. It is the policy of our benign systems of jurisprudence, to secure in all criminal proceedings, and even in the most trivial litigations, a fair, unprejudiced, and impartial trial. And surely it cannot be less important that such a trial should be secured to the highest officer of the government.

The constitution makes the House of Representatives the exclusive judges, in the first instance, of the question, whether the President has committed an impeachable offence. A majority of the Senate, whose interference with this preliminary question has, for the best of all reasons, been studiously excluded, anticipate the action of the House of Representatives, assume not only the function which belongs exclusively to that body, but convert themselves into accusers, witnesses, counsel, and judges, and prejudge the whole case. Thus presenting the appalling spectacle in a free state, of judges going through a labored preparation for an impartial hearing and decision, by a previous *ex parte* investigation and sentence against the supposed offender.

There is no settled axiom in that government whence we derive the model of this our constitution, than "that the lords cannot impeach any to themselves, nor join in the accusation, *because they are judges.*" Independently of the general reasons on which this rule is founded, its propriety and importance are greatly increased by the nature of the impeaching power. The power of arraigning the high officers of government, before a tribunal

whose sentence may expel them from their seats, and brand them as infamous, is eminently a popular remedy—a remedy designed to be employed for the protection of private right and public liberty, against the abuses of injustice and the encroachment of arbitrary power. But the framers of the constitution were also undoubtedly aware, that this formidable instrument has been and might be abused; and that from its very nature, an impeachment for high crimes and misdemeanors, whatever might be its result, would in most cases be accompanied by so much of dishonor and reproach, solicitude and suffering, as to make the power of preferring it, one of the highest solemnity and importance. It was due to both these considerations that the impeaching power should be lodged in the hands of those who, from the mode of their election and the tenor of their offices, would most accurately express the popular will, and at the same time be most directly and speedily amenable to the people. The theory of these wise and benignant intentions is, in the present case, effectually defeated by the proceedings of the Senate. The members of that body represent not the people, but the states; and though they are undoubtedly responsible to the states, yet, from their extended term of service, the effect of that responsibility, during the whole period of that term, must very much depend upon their own impressions of its obligatory force. When a body, thus constituted, expresses beforehand its opinion in a particular case, and thus indirectly invites a prosecution, it not only assumes a power intended for wise reasons to be confined to others, but it shields the latter from that exclusive and personal responsibility under which it was intended to be exercised, and reverses the whole scheme of this part of the constitution.

Such would be some of the objections to this procedure, even if it were admitted that there is a just ground for imputing to the President, the offences charged in the resolution. But if, on the other hand, the House of Representatives shall be of opinion that there is no reason for charging them upon him, and shall therefore deem it improper to prefer an impeachment, then will the violations of that privilege as it respects that house,

of justice as it regards the President, and of the constitution as it relates to both, be only the more conspicuous and impressive.

The constitutional mode of procedure on an impeachment, has not only been wholly disregarded, but some of the first principles of natural right and enlightened jurisprudence have been violated in the very form of the resolution. It carefully abstains from averring in *which* of "the late proceedings in relation to the public revenue, the President has assumed upon himself authority and power not conferred by the constitution and laws." It carefully abstains from specifying what laws or what parts of the constitution have been violated. Why was not the certainty of the offence—"the nature and cause of the accusation"—set out in the manner required in the constitution, before the humblest individual, for the smallest crime, can be exposed to condemnation? Such a specification was due to the accused, that he might direct his defence to the real point of attack; to the people, that they might clearly understand in what particulars their institutions had been violated; and to the truth and certainty of our public annals. As the record now stands, whilst the resolution plainly charges upon the President at least one act of usurpation in the "late executive proceedings in relation to the public revenue," and is so framed that those Senators who believed that one such act, and only one, had been committed, could assent to it; its language is yet broad enough to include several such acts; and so it may have been regarded by some of them who voted for it. But though the accusation is thus comprehensive in the censures which it implies, there is no such certainty of time, place, or circumstance, as to exhibit the particular conclusion of fact or law which induced any one Senator to vote for it. And it may well have happened, that whilst one Senator believed that some particular act embraced in the resolution, was an arbitrary and unconstitutional assumption of power, others of the majority may have deemed that very act both constitutional and expedient, or if not expedient, yet still within the pale of the constitution. And thus a majority of the Senators may have been enabled

to concur in a vague and undefined resolution that the President, in the course of the "late executive proceedings in relation to the public revenue," had violated the constitution and laws, whilst, if a separate vote had been taken in respect to each particular act, included within the general terms, the accusers of the President might, on any such vote, have been found in the minority.

Still further to exemplify this feature of the proceeding, it is important to be remarked, that the resolution, as originally offered to the Senate, specified with adequate precision certain acts of the President, which it denounced as a violation of the constitution and laws; and that it was not until the very close of the debate, and when perhaps it was apprehended that a majority might not sustain the specific accusation contained in it, that the resolution was so modified as to assume its present form. A more striking illustration of the soundness and necessity of the rules which forbid vague and indefinite generalities, and require a reasonable certainty in all judicial allegations; and a more glaring instance of the violation of those rules, has seldom been exhibited.

In this view of the resolution, it must certainly be regarded not as a vindication of any particular provision of the law or the constitution, but simply as an official rebuke or condemnatory sentence too general and indefinite to be easily repelled, but yet sufficiently precise to bring into discredit the conduct and motives of the executive.

But whatever it may have been intended to accomplish, it is obvious, that the vague, general, and abstract form of the resolution is in perfect keeping with those other departures from first principles and settled improvements in jurisprudence, so properly the boast of free countries in modern times. And it is not too much to say of the whole of these proceedings, that if they shall be approved and sustained by an intelligent people, then will that great contest with arbitrary power, which had established institutes, in bills of rights, in sacred charters, and in constitutions of government, the right of every citizen, to a notice before trial, to a hearing before conviction, and to an impartial tribunal for deciding on the charge, have been waged in vain.

If the resolution had been left in its original form, it is not to be presumed that it could ever have received the assent of a majority of the Senate, for the acts therein specified as violations of the constitution and laws, were clearly within the limits of the executive authority. They are the "dismissing the late Secretary of the Treasury, because he would not, contrary to his sense of his own duty, remove the money of the United States in deposit with the Bank of the United States and its branches in conformity with the President's opinion; and appointing his successor to effect such a removal, which has been done." But as no other specification has been substituted, and as these were the "executive proceedings in relation to the public revenue," principally referred to in the course of the discussion, they will doubtless be generally regarded as the acts intended to be denounced as "an assumption of authority and power, not conferred by the constitution or laws, but in derogation of both." It is therefore due to the occasion that a condensed summary of the views of the executive in respect to them, should be here exhibited.

By the constitution the "executive power is vested in the President of the United States." Among the duties imposed upon him, and which he is sworn to perform, is that of "taking care that the laws be faithfully executed." Being thus made responsible for the entire action of the executive department, it was but reasonable that the power of appointing, overseeing, and controlling those who execute the laws—a power in its nature executive—should remain in his hands. It is therefore not only his right, but the constitution makes it his duty, to "nominate, and by and with the advice and consent of the Senate, appoint" all "officers of the United States, whose appointments are not in the constitution otherwise provided for," with the proviso that the appointment of inferior officers may be vested in the President alone, in the courts of justice, or in the heads of departments.

The executive power vested in the Senate is neither that of "nominating," nor "appointing." It is merely a check upon the executive power of appointment. If individuals are proposed for appointment by the Presi-

dent, by them deemed incompetent or unworthy, they may withhold their consent, and the appointment cannot be made. They check the action of the executive, but cannot in relation to these very subjects act themselves nor direct him. Selections are still made by the President, and the negative given to the Senate, without diminishing his responsibility, furnishes an additional guarantee to the country that the subordinate executive, as well as the judicial offices, shall be filled with worthy and competent men.

The whole executive power being vested in the President who is responsible for its exercise, it is a necessary consequence that he should have a right to employ agents of his own choice to aid him in the performance of his duties, and to discharge them when he is no longer willing to be responsible for their acts. In strict accordance with this principle, the power of removal, which, like that of appointment, is an original executive power, is left unchecked by the constitution in relation to all executive officers, for whose conduct the President is responsible, while it is taken from him in relation to judicial officers, for whose acts he is not responsible. In the government from which many of the fundamental principles of our system are derived, the head of the executive department originally had power to appoint and remove at will all officers, executive and judicial. It was to take the judges out of this general power of removal, and thus make them independent of the executive, that the tenure of their offices was changed to good behavior. Nor is it conceivable why they are placed in our constitution upon a tenure different from that of all other officers appointed by the executive, unless it be for the same purpose.

But if there were any just ground for doubt on the face of the constitution, whether all executive officers are removable at the will of the President, it is obviated by contemporaneous construction of the instrument and the uniform practice under it.

The power of removal was a topic of solemn debate in the Congress of 1789, while organizing the administrative departments of the government, and it was finally decided, that the President derived from the constitution

the power of removal, so far as it regards the department for whose acts he is responsible. Although the debate covered the whole ground, embracing the treasury as well as all other executive departments, it arose on a motion to strike out of the bill to establish a department of foreign affairs, since called the department of state, a clause declaring the secretary "to be removable from office by the President of the United States." After that motion had been decided in the negative, it was perceived that these words did not convey the sense of the House of Representatives in relation to the true source of the power of removal. With the avowed object of preventing any future inference, that this power was exercised by the President in virtue of a grant from Congress, when in fact that body considered it as derived from the constitution, the words which had been the subject of debate were struck out, and in lieu thereof a clause was inserted in a provision concerning the chief clerk of the department, which declared that "whenever the said principal officer shall be *removed* from office by the President of the United States, or in any other case of vacancy," the chief clerk should during such vacancy have charge of the papers of the office. This change having been made for the express purpose of declaring the sense of Congress that the President derived the power of removal from the constitution, the act as it passed has always been considered as a full expression of the sense of the legislature on this important part of the American constitution.

Here then we have the concurrent authority of President Washington, of the Senate and House of Representatives, numbers of whom had taken an active part in the convention which framed the constitution, and in the state convention which adopted it, that the President derived an unqualified power of removal from that instrument itself, which is "beyond the reach of legislative authority." Upon this principle the government has now been steadily administered for about forty-five years, during which there have been numerous removals made by the President or by his direction, embracing every grade of executive officers, from the heads of departments to the messengers of bureaus.

The treasury department, in the discussion of 1789, was considered on the same footing as the other executive departments, and in the act establishing it, the precise words incorporated indicative of the sense of Congress, that the President derives his power to remove the secretary from the constitution, which appear in the act establishing the department of foreign affairs. An assistant secretary of the treasury was created, and it was provided that he should take charge of the books and papers of the department, "whenever the secretary shall be *removed* from office by the President of the United States." The secretary of the treasury being appointed by the President, and being considered as constitutionally removable by him, it appears never to have occurred to any one in the Congress of 1789, or since, until very recently, that he was other than an executive officer, the mere instrument of the chief magistrate in the execution of the laws, subject, like all other heads of departments, to his supervision and control. No such idea as an officer of the Congress can be found in the constitution, or appears to have suggested itself to those who organized the government. There are officers of each house, the appointment of which is authorized by the constitution, but all officers referred to in that instrument, as coming within the appointing power of the President, whether established thereby or created by law, are "officers of the United States." No joint power of appointment is given to the two houses of Congress, nor is there any accountability to them as one body; but as soon as any office is created by law, of whatever name or character, the appointment of the person or persons to fill it, devolves by the constitution upon the President, with the advice and consent of the Senate, unless it be an inferior office, and the appointment be vested by the law itself "in the President alone, in the courts of law, or the heads of the departments."

But at the time of the organization of the treasury department, an incident occurred which distinctly evinces the unanimous concurrence of the first Congress in the principle that the treasury department is wholly executive in its character and responsibilities. A motion

was made to strike out the provision of the bill making it the duty of the secretary "to digest and report for the improvement and management of the revenue, and for the support of public credit," on the ground that it would give the executive department of the government too much influence and power in Congress. The motion was not opposed on the ground that the secretary was the officer of Congress, and responsible to that body, which would have been conclusive, if admitted, but on other grounds which conceded his executive character throughout. The whole discussion evinces a unanimous concurrence in the principle that the secretary of the treasury is wholly an executive officer, and the struggle of the minority was to restrict his power as such. From that time down to the present, the secretary of the treasury, the treasurer, register, comptrollers, auditors, and clerks, who fill the offices of that department, have in the practice of the government, been considered and treated as on the same footing with the corresponding grades of officers in all the other executive departments.

The custody of the public property, under such regulations as may be prescribed by legislative authority, has always been considered an appropriate function of the executive department in this and all other governments. In accordance with this principle, every species of property belonging to the United States (excepting that which is in the use of the several co-ordinate departments of the government, as means to aid them in performing their appropriate functions) is in charge of officers appointed by the President, whether it be lands, or buildings, or merchandise, or provisions, or clothing, or arms and munitions of war. The superintendents and keepers of the whole are appointed by the President, responsible to him, and removable at his will.

Public money is but a species of public property. It cannot be raised by taxations or customs, nor brought into the treasury in any other way except by law; but whenever or howsoever obtained, its custody always has been, and always must be, unless the constitution be changed, intrusted to the executive department. No officer can be created by Congress for the purpose of taking

charge of it, whose appointment would not, by the constitution, at once devolve on the President, and who would not be responsible to him for the faithful performance of his duties. The legislative power may undoubtedly bind him and the President, by any laws they may think proper to enact; they may prescribe in what place particular portions of the public money shall be kept, and for what reasons it shall be removed, as they may direct that supplies for the army or navy shall be kept in particular stores; and it will be the duty of the President to see that the law is faithfully executed—yet will the custody remain in the executive department of the government. Were the Congress to assume, with or without a legislative act, the power of appointing officers independently of the President, to take the charge and custody of the public property contained in the military and naval arsenals, magazines, and storehouses, it is believed that such an act would be regarded by all as a palpable usurpation of executive power, subversive of the form as well as the fundamental principles of our government. But where is the difference in principle, whether the public property be in the form of arms, munitions of war, and supplies, or in gold and silver, or bank notes? None can be perceived—none is believed to exist. Congress cannot, therefore, take out of the hands of the executive department, the custody of the public property or money, without an assumption of executive power, and subversion of the first principles of the constitution.

The Congress of the United States have never passed an act imperatively directing that the public money shall be kept in any particular place or places. From the origin of the government to the year 1816, the statute book was wholly silent on the subject. In 1789, a treasurer was created, subordinate to the secretary of the treasury, and through him to the President. He was required to give bond, safely to keep, and faithfully to disburse the public moneys, without any direction as to the manner or places in which they should be kept. By reference to the practice of the government, it is found that from its first organization, the secretary of the treasury, acting under the supervision of the President, designated

the places in which the public moneys should be kept, and specially directed all transfers from place to place. This practice was continued, with the silent acquiescence of Congress, from 1789 down to 1816; and although many banks were selected and discharged, and although a portion of the moneys were first placed in the state banks, and then in the former banks of the United States, and upon the dissolution of that, were again transferred to the state banks, no legislation was thought necessary by Congress, and all the operations were originated and perfected by executive authority. The secretary of the treasury, responsible to the President, and with his approbation, made contracts and arrangements in relation to the whole subject, which was thus entirely committed to the direction of the President, under his responsibili ties to the American people, and to those who were authorized to impeach and punish him for any breach of this important trust.

The act of 1816, establishing the Bank of the United States, directed the deposits of public money to be made in that bank and its branches, in places in which the said bank and branches thereof may be established, "unless the secretary of the treasury should otherwise order and direct," in which event he was required to give his reasons to Congress. This was but a continuation of his pre-existing powers as the head of the executive department, to direct where the deposits should be made, with the superadded obligation of giving his reasons to Congress for making them elsewhere than in the Bank of the United States and its branches. It is not to be considered that this provision in any degree altered the relation between the secretary of the treasury and the President, as the responsible head of the executive department, or released the latter from his constitutional obligation to "take care that the laws be faithfully executed." On the contrary, it increased his responsibilities, by adding another to the long list of laws which it was his duty to carry into effect.

It would be an extraordinary result, if, because the person charged by the law with a public duty, is one of the secretaries, it were less the duty of the President to

see that law faithfully executed, than other laws enjoining duties upon subordinate officers or private citizens. If there be any difference, it would seem that the obligation is the stronger in relation to the former, because the neglect is in his presence, and the remedy at hand.

It cannot be doubted that it was the legal duty of the secretary of the treasury, to order and direct the deposits of the public money to be made elsewhere than in the Bank of the United States, *whenever sufficient reasons existed for making the change.* If, in such case, he neglected or refused to act, he would neglect or refuse to execute the law. What would then be the sworn duty of the President? Could he say that the constitution did not bind him to see the law faithfully executed, because it was one of his secretaries, and not himself upon whom the service was specially imposed? Might he not be asked whether there was any such limitation to his obligations prescribed in the constitution? whether he was not equally bound to take care that the laws be faithfully executed, whether they impose duties on the highest officer of state, or the lowest subordinate in any of the departments? Might he not be told, that it was for the sole purpose of causing all executive officers, from the highest to the lowest, faithfully to perform the services required of them by law, that the people of the United States have made him their chief magistrate, and the constitution has clothed him with the entire executive power of this government? The principles implied in these questions appear too plain to need elucidation.

But here, also, we have a cotemporaneous construction of the act, which shows that it was not understood as in any way changing the relations between the President and secretary of the treasury, or as placing the latter out of executive control, even in relation to the deposits of the public money. Nor on this point are we left to any equivocal testimony. The documents of the treasury department show that the secretary of the treasury did apply to the President, and obtain his approbation and sanction to the original transfer of the public deposits to the present Bank of the United States, and did carry the measure into effect in obedience to his decision. They also

show that the transfers of the public deposits from the branches of the Bank of the United States to the state banks, at Chilicothe, Cincinnati, and Louisville, in 1819, were made with the approbation of the President, and by his authority. They show that upon all important questions appertaining to his department, whether they related to the public deposits or other matters, it was the constant practice of the secretary of the treasury to obtain for his acts the approval and sanction of the President. These acts, and the principles on which they were founded, were known to all the departments of the government, to Congress, and the country; and until very recently, appear never to have been called in question.

Thus it was settled by the constitution, the laws, and the whole practice of the government, that the entire executive power is vested in the President of the United States; that as incident to that power, the right of appointing and removing those officers who are to aid him in the execution of the laws, with such restrictions only as the constitution prescribes, is vested in the President; that the secretary of the treasury is one of those officers; that the custody of the public property and money is an executive function, which, in relation to the money, has always been exercised through the secretary of the treasury and his subordinates; that in the performance of these duties, he is subject to the supervision and control of the President, and in all important measures having relation to them, consults the chief magistrate, and obtains his approval and sanction; that the law establishing the bank did not, as it could not, change the relation between the President and secretary—did not release the former from his obligation to see the law faithfully executed, nor the latter from the President's supervision and control; that afterwards, and before, the secretary did in fact consult, and obtain the sanction of the President, to transfers and removals of the public deposits; and that all departments of the government, and the nation itself, approved or acquiesced in these acts and principles, as in strict conformity with our constitution and laws.

During the last year, the approaching termination, according to the provisions of its charter and the solemn

decision of the American people, of the Bank of the United States, made it expedient, and its exposed abuses and corruptions made it, in my opinion, the duty of the secretary of the treasury to place the moneys of the United States in other depositories. The secretary did not concur in that opinion, and declined giving the necessary order and direction. So glaring were the abuses and corruption of the bank, so evident its fixed purpose to persevere in them, and so palpable its design, by its money and power, to control the government and change its character, that I deemed it the imperative duty of the executive authority, by the exertion of every power confided to it by the constitution and laws, to check its career, and lessen its ability to do mischief, even in the painful alternative of dismissing the head of one of the departments. At the time the removal was made, other causes sufficient to justify it existed; but if they had not, the secretary would have been dismissed for this cause only.

His place I supplied by one whose opinions were well known to me, and whose frank expression of them, in another situation, and whose generous sacrifices of interest and feeling, when unexpectedly called to the station he now occupies, ought forever to have shielded his motives from suspicion, and his character from reproach. In accordance with the opinions long before expressed by him, he proceeded, with my sanction, to make arrangements for depositing the moneys of the United States in other safe institutions.

The resolution of the senate, as originally framed and as passed, if it refers to these acts, presupposes a right in that body to interfere with this exercise of executive power. If the principle be once admitted, it is not difficult to perceive where it may end. If, by a mere denunciation like this resolution, the President should ever be induced to act, in a matter of official duty, contrary to the honest convictions of his own mind, in compliance with the wishes of the Senate, the constitutional independence of the executive department would be as effectually destroyed, and its power as effectually transferred to the Senate, as if that end had been accomplished by an amend-

ment of the constitution. But if the Senate have a right to interfere with the executive powers, they have also the right to make that interference effective; and if the assertion of the power implied in the resolution be silently acquiesced in, we may reasonably apprehend that it will be followed, at some future day, by an attempt at actual enforcement. The Senate may refuse, except on the condition that he will surrender his opinions to theirs and obey their will, to perform their own constitutional functions; to pass the necessary laws; to sanction appropriations proposed by the House of Representatives, and to confirm proper nominations made by the President. It has already been maintained (and it is not conceivable that the resolution of the Senate can be based on any other principle,) that the secretary of the treasury is the officer of Congress, and independent of the President; that the President has no right to control him, and consequently none to remove him. With the same propriety, and on similar grounds, may the secretary of state, the secretaries of war and the navy, and the postmaster general, each in succession, be declared independent of the President, and subordinates of Congress, and removable only with the concurrence of the Senate. Followed to its consequences, the principle will be found effectually to destroy one co-ordinate department of the government, to concentrate in the hands of the Senate the whole executive power, and to leave the President as powerless as he would be useless, the shadow of authority, after the substance had departed.

The time and the occasion which have called forth the resolution of the Senate, seem to impose upon me an additional obligation not to pass it over in silence. Nearly forty-five years had the President exercised, without a question as to his rightful authority, those powers for the recent resumption of which he is now denounced. The vicissitudes of peace and war had attended our government, violent parties, watchful to take advantage of any seeming usurpation on the part of the executive, had distracted our counsels; frequent removals, or forced resignations in every sense tantamount to removals had been made of the secretary and other officers of the treasury; and yet, in no one instance, is it known that any man,

whether patriot or partisan, had raised his voice against it as a violation of the constitution. The expediency and justice of such changes, in reference to public officers of all grades, have frequently been the topics of discussion; but the constitutional right of the President to appoint, control, and remove the head of the treasury, as well as all other departments, seems to have been universally conceded. And what is the occasion upon which other principles have been first officially asserted? The Bank of the United States, a great moneyed monopoly, had attempted to obtain a renewal of its charter, by controlling the elections of the people, and the action of the government. The use of its corporate funds and power in that attempt, was fully disclosed; and it was made known to the President that the corporation was putting in train the same course of measures, with the view of making another vigorous effort, through an interference in the elections of the people, to control public opinion and force the government to yield its demands. This, with its corruption of the press, its violation of its charter, its exclusion of the government directors from its proceedings, its neglect of duty, and arrogant pretensions, made it, in the opinion of the President, incompatible with the public interest and the safety of our institutions, that it should be longer employed as the fiscal agent of the treasury. A secretary of the treasury, appointed in the recess of the Senate, who had not been confirmed by that body and whom the President might or might not at his pleasure nominate to them, refused to do what his superior in the executive department considered the most imperative of his duties, and because in fact, however innocent his motives, the protector of the bank. And on this occasion it is discovered for the first time, that those who framed the constitution misunderstood it; that the first Congress and all its successors have been under a delusion; that the practice of nearly forty-five years, is but a continued usurpation; that the secretary of the treasury is not responsible to the President; and that to remove him is a violation of the constitution and laws, for which the President deserves to stand forever dishonored on the journals of the Senate.

There are also some other circumstances connected

with the discussion and passage of the resolution, to which I feel it to be not only my right but my duty to refer. It appears by the journal of the Senate, that among the twenty-six Senators who voted for the resolution on its final passage, and who had supported it in debate in its original form, were, one of the Senators from the state of Maine, the two Senators from New Jersey, and one of the Senators from Ohio. It also appears by the same journal, and by the files of the Senate, that the legislatures of those states had severally expressed their opinions in respect to the executive proceedings drawn in question before the Senate.

The two branches of the legislature of the state of Maine, on the 25th January, 1834, passed a preamble and series of resolutions in the following words:

"Whereas, at an early period after the election of Andrew Jackson to the presidency, in accordance with the sentiments which he had uniformly expressed, the attention of Congress was called to the constitutionality and expediency of the renewal of the charter of the United States Bank; and whereas the bank has transcended its chartered limits in the management of its business transactions, and has abandoned the object of its creation, by engaging in political controversies, by wielding its power and influence to embarrass the administration of the general government, and by bringing insolvency and distress upon the commercial community; and whereas, the public security from such an institution consists less in its present pecuniary capacity to discharge its liabilities than in the fidelity with which the trusts reposed in it have been executed; and whereas, the abuse and misapplication of the powers conferred have destroyed the confidence of the public in the officers of the bank, and demonstrated that such powers endangered the stability of republican institutions: therefore,

"Resolved, That in the removal of the public deposits from the Bank of the United States, as well as in the manner of their removal, we recognize in the administration an adherence to constitutional rights, and the performance of a public duty.

"Resolved, That this legislature entertain the same

for banking purposes out of the District of Columbia. And whereas, we believe the proper disposal of the public lands to be of the utmost importance to the people of these United States, and that honor and good faith require their equitable distribution: Therefore,

"*Resolved by the General Assembly of the state of Ohio,* That we consider the removal of the public deposits from the Bank of the United States as required by the best interests of our country, and that a proper sense of public duty imperiously demanded that that institution should be no longer used as a depository of the public funds.

"Resolved, also, That we view, with decided disapprobation, the renewed attempts in Congress to secure the passage of the bill providing for the disposal of the public domain upon the principle proposed by Mr. Clay, inasmuch as we believe that such a law would be unequal in its operations, and unjust in its results.

"Resolved, also, That we heartily approve of the principles set forth in the late veto message upon this subject, and

"Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their influence to prevent the rechartering of the Bank of the United States; to sustain the administration in its removal of the public deposits; and to oppose the passage of a land bill containing the principles adopted in the act upon that subject passed at the last session of Congress.

"Resolved, That the governor be requested to transmit copies of the foregoing preamble and resolutions to each of our Senators and Representatives."

It is thus seen that four Senators have declared by their votes that the President, in the executive proceedings in relation to the revenue, had been guilty of the impeachable offence of "assuming upon himself authority and power not conferred by the constitution and laws, but in derogation of both," whilst the legislatures of their respective states had deliberately approved those very proceedings, as consistent with the constitution and demanded by the public good. If these four votes had been given in accordance with the sentiments of the legisla-

tures, as above expressed, there would have been but twenty-four out of forty-six for censuring the President, and the unprecedented record of his conviction could not have been placed upon the journals of the Senate.

In thus referring to the resolutions and instructions of the state legislatures, I disclaim and repudiate all authority or design to interfere with the responsibility due from members of the Senate to their own consciences, their constituents, and their country. The facts now stated, belong to the history of these proceedings, and are important to the just development of the principles and interests involved in them, as well as to the proper vindication of the executive department; and with that view, and that only, are they here made the topic of remark.

The dangerous tendency of the doctrine which denies to the President the power of supervising, directing, and removing the secretary of the treasury in like manner with other executive officers, would soon be manifest in practice, were the doctrine to be established. The President is the direct representative of the American people, but the secretaries are not. If the secretary of the treasury be independent of the President in the execution of the laws, then is there no direct responsibility to the people in the important branch of this government, to which is committed the care of the national finances. And it is in the power of the Bank of the United States, or any other corporation, body of men, or individuals, if a secretary shall be found to accord with them in opinion, or can be induced in practice to promote their views, to control through him the whole action of government (so far as it is exercised by his department,) in defiance of the chief magistrate elected by the people and responsible to them.

But the evil tendency of the particular doctrine adverted to, though superficially serious, would be as nothing in comparison with the pernicious consequences which would inevitably flow from the high approbation and allowance by the people, and the practice by the Senate, of the unconstitutional power of arraigning and censuring the official conduct of the executive, in the manner recently pursued. Such proceedings are eminently calcu-

lated to unsettle the foundations of the government; to disturb the harmonious action of the different departments; and to break down the checks and balances by which the wisdom of its framers sought to insure its stability and usefulness.

The honest differences of opinion which occasionally exist between the Senate and President, in regard to matters in which both are obliged to participate, are sufficiently embarrassing. But if the course recently adopted by the Senate shall hereafter be frequently pursued, it is not only obvious that the harmony of the relations between the President and the Senate will be destroyed, but that other and graver effects will ultimately ensue. If the censures of the Senate be submitted to by the President, the confidence of the people in his ability and virtue, and the character and usefulness of his administration, will soon be at an end, and the real power of the government will fall into the hands of a body, holding their offices for long terms, not elected by the people, and not to them directly responsible. If, on the other hand, the illegal censures of the Senate should be resisted by the President, collisions and angry controversies might ensue, discreditable in their progress, and in the end compelling the people to adopt the conclusion,-either that their chief magistrate was unworthy of their respect, or that the Senate was chargeable with calumny and injustice. Either of these results would impair public confidence in the perfection of the system, and lead to serious alterations of its frame-work, or to the practical abandonment of some of its provisions.

The influence of such proceedings in the other departments of the government, and more especially on the states, could not fail to be extensively pernicious. When the judges in the last resort of official misconduct, themselves overleaped the bounds of their authority, as prescribed by the constitution, what general disregard of its provisions might not their example be expected to produce? And who does not perceive that such contempt of the federal constitution, by one of its most important departments, would hold out the strongest temptations to resistance on the part of the state sovereignties, when-

ever they shall suppose their just rights to have been invaded? Thus all the independent departments of the government, and the states which compose our confederated union, instead of attending to their appropriate duties, and leaving those who may offend, to be reclaimed or punished in the manner pointed out in the constitution, would fall to mutual crimination and recrimination, and give to the people confusion and anarchy, instead of order and law; until at length some form of aristocratic power would be established on the ruins of the constitution, or the states be broken into separate communities.

Far be it from me to charge, or to insinuate, that the present Senate of the United States intended, in the most distant way, to encourage such a result. It is not of their motives or designs, but only of the tendency of their acts, that it is my duty to speak. It is, if possible, to make Senators themselves sensible of the danger which lurks under the precedent set in their resolution; and at any rate to perform my duty, as the responsible head of one of the co-equal departments of the government, that I have been compelled to point out the consequences to which the discussion and passage of the resolutions may lead, if the tendency of the measure be not checked in its inception. It is due to the high trust with which I have been charged; to those who may be called to succeed me in it; to the representatives of the people, whose constitutional prerogative has been unlawfully assumed; to the people and to the states; and to the constitution they have established; that I shall not permit its provisions to be broken down by such an attack on the executive department, without at least some effort "to preserve, protect, and defend them."

With this view, and for the reasons which have been stated, I do hereby SOLEMNLY PROTEST against the afore-mentioned proceedings of the Senate, as unauthorized by the constitution; contrary to its spirit and to several of its express provisions; subversive of that distribution of the powers of government which it has ordained and established; destructive of the checks and safeguards by which those powers were intended, on the one hand to

be controlled, and on the other to be protected, and calculated by their immediate and collateral effects, by their character and tendency, to concentrate in the hands of a body not directly amenable to the people, a degree of influence and power dangerous to their liberties, and fatal to the constitution of their choice.

The resolution of the Senate contains an imputation upon my private as well as upon my public character; and as it must stand forever on their journals, I cannot close this substitute for that defence which I have not been allowed to present in the ordinary form, without remarking, that I have lived in vain, if it be necessary to enter into a formal vindication of my character and purpose from such an imputation. In vain do I bear upon my person, enduring memorials of that contest in which American liberty was purchased—in vain have I since periled property, fame, and life, in defence of the rights and privileges so dearly bought—in vain am I now, without a personal aspiration, or the hope of individual advantage, encountering responsibilities and dangers, from which, by mere inactivity in relation to a single point, I might have been exempt—if any serious doubts can be entertained as to the purity of my purpose and motives. If I had been ambitious, I should have sought an alliance with that powerful institution, which even now aspires to no divided empire. If I had been venal, I should have sold myself to its designs—had I preferred personal comfort and official ease to the performance of my arduous duty, I should cease to molest it. In the history of conquerors and usurpers, never, in the fire of youth, nor in the vigor of manhood, could I find an attraction to lure me from the path of duty; and now, I shall scarcely find an inducement to commence their career of ambition, when gray hairs and a decaying frame, instead of inviting to toil and battle, call me to the contemplation of other worlds, where conquerors cease to be honored, and usurpers expiate their crimes. The only ambition I can feel, is to acquit myself to Him to whom I must soon render an account of my stewardship, to serve my fellow-men, and live respected and honored in the history of my country. No: the ambition

which leads me on, is an anxious desire and a fixed determination to return to the people unimpaired, the sacred trust they have confided to my charge—to heal the wounds of the constitution and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government, supported by powerful monopolies and aristocratical establishments, that they will find happiness, or their liberties protection; but in a plain system, void of pomp—protecting all, and granting favors to none—dispensing its blessings like the dews of Heaven, unseen and unfelt, save in the freshness and beauty they contribute to produce. It is such a government that the genius of our people requires—such a one only under which our states may remain for ages to come, united, prosperous, and free. If the Almighty Being who has hitherto sustained and protected me, will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate with pleasure the place to be assigned me in the history of my country, and die contented with the belief that I have contributed, in some small degree, to increase the value and prolong the duration of American liberty.

To the end that the resolution of the Senate may not be hereafter drawn into precedent, with the authority of silent acquiescence on the part of the executive department, and to the end, also, that my motives and views in the executive proceedings denounced in that resolution, may be known to my fellow-citizens, to the world, and to all posterity, I respectfully request that this Message and Protest may be entered at length on the journal of the Senate.

ANDREW JACKSON.

VAN BUREN'S INAUGURAL ADDRESS,

MARCH 4, 1837.

Fellow-Citizens:

The practice of all my predecessors imposes on me an obligation I cheerfully fulfil, to accompany the first and solemn act of my public trust with an avowal of the principles that will guide me in performing it, and an expression of my feelings on assuming a charge so responsible and vast. In imitating their example, I tread in the footsteps of illustrious men, whose superiors it is our happiness to believe are not found on the executive calendar of any country. Among them we recognize the earliest and firmest pillars of the republic; those by whom our national independence was first declared; him who, above all others, contributed to establish it on the field of battle; and those whose expanded intellect and patriotism constructed, improved and perfected the inestimable institutions under which we live. If such men, in the position I now occupy, felt themselves overwhelmed by a sense of gratitude for this, the highest of all marks of their country's confidence, and by a consciousness of their inability adequately to discharge the duties of an office so difficult and exalted, how much more must these considerations affect one, who can rely on no such claim for favor or forbearance. Unlike all who have preceded me, the revolution that gave us existence as one people, was achieved at the period of my birth; and whilst I contemplate, with grateful reverence, that memorable event, I feel that I belong to a later age, and that I may not expect my countrymen to weigh my actions with the same kind and partial hand.

So sensibly, fellow-citizens, do these circumstances press themselves upon me, that I should not dare to enter upon my path of duty, did I not look for the generous aid of those who will be associated with me in the various and co-ordinate branches of the government; did I not repose with unwavering reliance on the patriotism, the intelligence and the kindness of a people who never

yet deserted a public servant honestly laboring in their cause; and, above all, did I not permit myself humbly to hope for the sustaining support of an ever-watchful and beneficent Providence.

To the confidence and consolation derived from these sources, it would be ungrateful not to add those which spring from our present fortunate condition. Though not altogether exempt from embarrassments that disturb our tranquillity at home and threaten it abroad, yet, in all the attributes of a great, happy, and flourishing people, we stand without a parallel in the world. Abroad, we enjoy the respect, and, with scarcely an exception, the friendship of every nation; at home, while our government quietly, but efficiently performs the sole legitimate end of political institutions, in doing the greatest good to the greatest number, we present an aggregate of human prosperity surely not elsewhere to be found.

How imperious then, is the obligation imposed upon every citizen, in his own sphere of action, whether limited or extended, to exert himself in perpetuating a condition of things so singularly happy. All the lessons of history and experience must be lost upon us, if we are content to trust alone to the peculiar advantages we happen to possess. Position and climate, and the bounteous resources that nature has scattered with so liberal a hand—even the diffused intelligence and elevated character of our people—will avail us nothing, if we fail sacredly to uphold those political institutions that were wisely and deliberately formed, with reference to every circumstance that could preserve, or might endanger the blessings we enjoy. The thoughtful framers of our constitution legislated for our country as they found it. Looking upon it with the eyes of statesmen and of patriots, they saw all the sources of rapid and wonderful prosperity; but they saw, also, that various habits, opinions, and institutions, peculiar to the various portions of so vast a region, were deeply fixed. Distinct sovereignties were in actual existence, whose cordial union was essential to the welfare and happiness of all. Between many of them there was, at least to some extent, a real diversity of interests, liable to be exaggerated through sinister designs;

they differed in size, in population, in wealth, and in actual and prospective resources and power; they varied in the character of their industry and staple productions; and in some existed domestic institutions, which, unwisely disturbed, might endanger the harmony of the whole. Most carefully were all these circumstances weighed, and the foundation of the government laid upon principles of mutual concession and equitable compromise. The jealousies which the smaller states might entertain of the power of the rest, were allayed by a rule of representation, confessedly unequal at the time, and designed forever to remain so. A natural fear that the broad scope of general legislation might bear upon and unwisely control particular interests, was counteracted by limits strictly drawn around the action of the federal authority; and to the people and the states was left unimpaired their sovereign power over the innumerable subjects embraced in the internal government of a just republic, excepting such only as necessarily appertain to the concerns of the whole confederacy, or its intercourse, as a united community, with the other nations of the world.

This provident forecast has been verified by time. Half a century, teeming with extraordinary events, and elsewhere producing astonishing results, has passed along; but on our institutions it has left no injurious mark. From a small community, we have risen to a people powerful in numbers and in strength; but with our increase has gone hand in hand the progress of just principle; the privileges, civil and religious, of the humblest individual are sacredly protected at home; and while the valor and fortitude of our people have removed far from us the slightest apprehension of foreign power, they have not yet induced us, in a single instance, to forget what is right. Our commerce has been extended to the remotest nations; the value, and even nature of the productions has been greatly changed; a wide difference has arisen in the relative wealth and resources of every portion of our country; yet the spirit of mutual regard and of faithful adherence to existing compacts, has continued to prevail in our councils, and never long been absent from our conduct. We have learned by experience a fruitful

lesson; that an implicit and undeviating adherence to the principles on which we set out can carry us prosperously onward through all the conflicts of circumstances, and the vicissitudes inseparable from the lapse of years.

The success that has thus attended our great experiment, is, in itself, sufficient cause for gratitude, on account of the happiness it has actually conferred, and the example it has unanswerably given. But to me, my fellow-citizens, looking forward to the far-distant future, with ardent prayers and confiding hopes, this retrospect presents a ground for still deeper delight. It impresses on my mind a firm belief that the perpetuity of our institutions depends upon themselves; that, if we maintain the principles on which they were established, they are destined to confer their benefits on countless generations yet to come; and that America will present to every friend of mankind the cheering proof, that a popular government, wisely formed, is wanting in no element of endurance or strength. Fifty years ago its rapid failure was predicted. Latent and uncontrollable causes of dissolution were supposed to exist, even by the wise and good; and not only did unfriendly or speculative theorists anticipate for us the fate of past republics, but the fear of many an honest patriot overbalanced his sanguine hopes. Look back on these forebodings, not hastily, but reluctantly made, and see how, in every instance, they have completely failed.

An imperfect experience, during the struggles of the revolution, was supposed to warrant a belief that the people would not bear the taxation requisite to the discharge of an immense public debt already incurred, and to defray the necessary expenses of government. The cost of two wars has been paid, not only without a murmur, but with unequalled alacrity. No one is now left to doubt that every burden will be cheerfully borne that may be necessary to sustain our civil institutions, or guard our honor or our welfare. Indeed, all experience has shown that the willingness of the people to contribute to these ends, in cases of emergency, has uniformily outrun the confidence of their representatives.

In the early stages of the new government, when all

felt the imposing influence, as they recognized the unequalled services of the first President, it was a common sentiment, that the great weight of his character could alone bind the discordant materials of our government together, and save us from the violence of contending factions. Since his death, nearly forty years are gone. Party exasperation has been often carried to its highest point; the virtue and fortitude of the people have sometimes been greatly tried; yet our system, purified and enhanced in value by all it has encountered, still preserves its spirit of free and fearless discussion, blended with unimpaired fraternal feeling.

The capacity of the people for self-government, and their willingness, from a high sense of duty, and without those exhibitions of coercive power so generally employed in other countries, to submit to all needful restraints and exactions of the municipal law, have also been favorably exemplified in the history of the American states. Occasionally, it is true, the ardor of public sentiment, outrunning the regular process of the judicial tribunals, or seeking to reach cases not denounced as criminal by the existing law, has displayed itself in a manner calculated to give pain to the friends of free government, and to encourage the hopes of those who wish for its overthrow. These occurrences, however, have been less frequent in our country than any other of equal population on the globe; and with the diffusion of intelligence, it may well be hoped that they will constantly diminish in frequency and violence. The generous patriotism and sound common sense of the great mass of our fellow-citizens, will assuredly, in time, produce this result; for as every assumption of illegal power not only wounds the majesty of the law, but furnishes a pretext for abridging the liberties of the people, the latter have the most direct and permanent interest in preserving the great landmarks of social order, and maintaining, on all occasions, the inviolability of those constitutional and legal provisions which they themselves have made.

In a supposed unfitness of our institutions for those hostile emergencies which no country can always avoid, their friends found a fruitful source of apprehension,

their enemies of hope. While they foresaw less promptness of action than in governments differently formed, they overlooked the far more important considerations, that with us war could never be the result of individual or irresponsible will, but must be a measure of redress for injuries sustained, voluntarily resorted to by those who were to bear the necessary sacrifice, who would consequently feel an individual interest in the contest, and whose energy would be commensurate with the difficulties to be encountered. Actual events have proved their error: the last war, far from impairing, gave new confidence to our government; and amid recent apprehensions of a similar conflict, we saw that the energies of our country would not be wanting in ample season to vindicate its rights. We may not possess, as we should not desire to possess, the extended and ever ready military organization of other nations; we may occasionally suffer in the outset for the want of it, but, among ourselves, all doubt upon this great point has ceased, while a salutary experience will prevent a contrary opinion from inviting aggression from abroad.

Certain danger was foretold from the extension of our territory, the multiplication of states, and the increase of population. Our system was supposed to be adapted only to boundaries comparatively narrow. These have been widened beyond conjecture; the members of our confederacy are already doubled; and the numbers of our people are incredibly augmented. The alleged causes of danger have long surpassed anticipation, but none of the consequences have followed. The power and influence of the republic have risen to a height obvious to all mankind; respect for its authority was not more apparent at its ancient than it is at its present limits; new and inexhaustible sources of general prosperity have been opened; the effects of distance have been averted by the inventive genius of our people, developed and fostered by the spirit of our institutions; and the large variety and amount of interests, productions, and pursuits, have strengthened the chain of mutual dependence, and formed a circle of mutual benefits, too apparent ever to be overlooked.

In justly balancing the powers of the federal and state

authorities, difficulties nearly insurmountable arose at the outset, and subsequent collisions were deemed inevitable. Amid these, it was scarcely believed possible that a scheme of government so complex in construction, could remain uninjured. From time to time, embarrassments have certainly occurred; but how just is the confidence of future safety imparted by the knowledge that each in succession has been happily removed. Overlooking partial and temporary evils as inseparable from the practical operation of all human institutions, and looking only to the general result, every patriot has reason to be satisfied. While the federal government has successfully performed its appropriate functions in relation to foreign affairs, and concerns evidently national, that of every state has remarkably improved in protecting and developing local interests and individual welfare; and if the vibrations of authority have occasionally tended too much towards one or other, it is unquestionably certain that the ultimate operation of the entire system has been to strengthen all the existing institutions, and to elevate our whole country in prosperity and renown.

The last, perhaps the greatest, of the prominent sources of discord and disaster supposed to lurk in our political condition, was the institution of domestic slavery. Our forefathers were deeply impressed with the delicacy of this subject, and they treated it with a forbearance so evidently wise, that, in spite of every sinister foreboding, it never, until the present period, disturbed the tranquillity of our common country. Such a result is sufficient evidence of the justice and patriotism of their course; it is evidence not to be mistaken, that an adherence to it can prevent all embarrassment from this, as well as every other anticipated cause of difficulty or danger. Have not recent events made it obvious to the slightest reflection, that the least deviation from this spirit of forbearance is injurious to every interest, that of humanity included?

Amidst the violence of excited passions, this generous and fraternal feeling has been sometimes disregarded; and standing as I now do before my countrymen, in this high place of honor and trust, I cannot refrain from anxiously invoking my fellow-citizens never to be deaf to its dic-

tates. Perceiving, before my election, the deep interest this subject was beginning to excite, I believed it a solemn duty fully to make known my sentiments in regard to it; and now, when every motive for misrepresentation has passed away, I trust that they will be candidly weighed and understood. At least they will be my standard of conduct in the path before me. I then declared that, if the desire of those of my countrymen who were favorable to my election was gratified, "I must go into the presidential chair the inflexible and uncompromising opponent of every attempt, on the part of Congress, to abolish slavery in the District of Columbia, against the wishes of the slaveholding states; and also with a determination equally decided to resist the slightest interference with it in the states where it exists." I submitted also to my fellow-citizens, with fulness and frankness, the reasons which led me to this determination. The result authorizes me to believe that they have been approved, and are confided in by a majority of the people of the United States, including those whom they most immediately affect. It now only remains to add, that no bill conflicting with these views can ever receive my constitutional sanction. These opinions have been adopted in the firm belief that they are in accordance with the spirit that actuated the venerated fathers of the republic, and that succeeding experience has proved them to be humane, patriotic, expedient, honorable and just. If the agitation of this subject was intended to reach the stability of our institutions, enough has occurred to show that it has signally failed; and that in this, as in every other instance, the apprehensions of the timid and the hopes of the wicked for the destruction of our government, are again destined to be disappointed. Here and there, indeed, scenes of dangerous excitement have occurred; terrifying instances of local violence have been witnessed; and a reckless disregard of the consequences of their conduct has exposed individuals to popular indignation; but neither masses of the people nor sections of the country have swerved from their devotion to the bond of union, and the principles it has made sacred. It will be ever thus. Such attempts at agitation may periodically return, but with each the

object will be better understood. That predominating affection for our political system which prevails throughout our territorial limits; that calm and enlightened judgment which ultimately governs our people as one vast body, will always be at hand to resist and control every effort, foreign or domestic, which aims or would lead to overthrow our institutions.

What can be more gratifying than such a retrospect as this! We look back on obstacles avoided and dangers overcome; on expectations more than realized, and prosperity perfectly secured. To the hopes of the hostile, the fears of the timid, and the doubts of the anxious, actual experience has given the conclusive reply. We have seen time gradually dispel every unfavorable foreboding, and our constitution surmount every adverse circumstance, dreaded at the outset as beyond control. Present excitement will, at all times, magnify present dangers; but true philosophy must teach us that none more threatening than the past can remain to be overcome; and we ought, for we have just reason, to entertain an abiding confidence in the stability of our institutions, and an entire conviction that if administered in the true form, character, and spirit in which they were established, they are abundantly adequate to preserve to us and our children the rich blessings already derived from them; to make our beloved land, for a thousand generations, that chosen spot where happiness springs from a perfect equality of political rights.

For myself, therefore, I desire to declare, that the principle that will govern me in the high duty to which my country calls me, is a strict adherence to the letter and spirit of the constitution, as it was designed by those who framed it. Looking back to it as a sacred instrument, carefully and not easily framed; remembering that it was throughout a work of concession and compromise, viewing it as limited to national objects; regarding it as leaving to the people and the states all power not explicitly parted with, I shall endeavor to preserve, protect and defend it, by anxiously referring to its provisions for direction in every action. To matters of domestic concernment which it has entrusted to the federal government,

and to such as relate to our intercourse with foreign nations, I shall zealously devote myself; beyond those limits I shall never pass.

To enter, on this occasion, into a further or more minute exposition of my views on the various questions of domestic policy, would be as obtrusive as it is probably unexpected. Before the suffrages of my countrymen were conferred upon me, I submitted to them, with great precision, my opinions on all the most prominent of these subjects. Those opinions I shall endeavor to carry out with the utmost ability.

Our course of foreign policy has been so uniform and intelligible, as to constitute a rule of executive conduct which leaves little to my discretion, unless, indeed, I were willing to run counter to the lights of experience, and the known opinions of my constituents. We sedulously cultivate the friendship of all nations, as the condition most compatible with our welfare, and the principles of our government. We decline alliances, as adverse to our peace. We desire commercial relations on equal terms, being ever willing to give a fair equivalent for advantages received. We endeavor to conduct our intercourse with openness and sincerity; promptly avowing our objects, and seeking to establish that mutual frankness which is as beneficial in the dealings of nations as of men. We have no disposition, and we disclaim all right to meddle in disputes, whether internal or foreign, that may molest other countries; regarding them in their actual state, as social communities, and preserving a strict neutrality in all their controversies. Well knowing the tried valor of our people, and our exhaustless resources, we neither anticipate nor fear any designed aggression; and in the consciousness of our own just conduct, we feel a security that we shall never be called upon to exert our determination, never to permit an invasion of our rights, without punishment or redress.

In approaching, then, in the presence of my assembled countrymen, to make the solemn promise that yet remains, and to pledge myself that I will faithfully execute the office I am about to fill, I bring with me a settled purpose to maintain the institutions of my country, which, I trust, will atone for the errors I commit.

In receiving from the people the sacred trust twice confided to my illustrious predecessor, and which he has discharged so faithfully and so well, I know that I cannot expect to perform the arduous task with equal ability and success. But, united as I have been in his counsels, a daily witness of his exclusive and unsurpassed devotion to his country's welfare, agreeing with him in sentiments which his countrymen have warmly supported, and permitted to partake largely of his confidence, I may hope that somewhat of the same cheering approbation will be found to attend upon my path. For him, I but express, with my own, the wishes of all, that he may yet long live to enjoy the brilliant evening of his well-spent life, and for myself, conscious of but one desire, faithfully to serve my country, I throw myself, without fear, on its justice and kindness. Beyond that, I only look to the gracious protection of that Divine Being whose strengthening support I humbly solicit, and whom I fervently pray to look down upon us all. May it be among the dispensations of his providence to bless our beloved country with honors and with length of days; may her ways be ways of pleasantness, and all her paths be peace.

SPECIAL SESSION MESSAGE,

SEPTEMBER 4, 1837.

Fellow-Citizens of the Senate,
and House of Representatives:

The act of the 23d of June, 1836, regulating the deposits of the public money, and directing the employment of state, district, and territorial banks for that purpose, made it the duty of the secretary of the treasury to discontinue the use of such of them as should at any time refuse to redeem their notes in specie, and to substitute other banks, provided a sufficient number could be obtained to receive the public deposits upon the terms and conditions therein prescribed. The general and al-

most simultaneous suspension of specie payments by the banks in May last, rendered the performance of this duty imperative, in respect to those which had been selected under the act; and made it, at the same time, impracticable to employ the requisite number of others, upon the prescribed conditions. The specific regulations established by Congress for the deposit and safe keeping of the public moneys, having thus unexpectedly become imperative, I felt it to be my duty to afford you an early opportunity for the exercise of your supervisory powers over the subject.

I was also led to apprehend that the suspension of specie payments, increasing the embarrassments before existing in the pecuniary affairs of the country, would so far diminish the public revenue, that the accruing receipts into the treasury would not, with the reserved five millions, be sufficient to defray the unavoidable expenses of the government, until the usual period for the meeting of Congress; whilst the authority to call upon the states for a portion of the sums deposited with them, was too restricted to enable the department to realize a sufficient amount from that source. These apprehensions have been justified by subsequent results, which render it certain that this deficiency will occur, if additional means be not provided by Congress.

The difficulties experienced by the mercantile interest in meeting their engagements, induced them to apply to me, previous to the actual suspension of specie payments, for indulgence upon their bonds for duties, and all the relief authorized by law was promptly and cheerfully granted. The dependence of the treasury upon the avails of these bonds, to enable it to make the deposits with the states required by law, led me in the outset to limit this indulgence to the 1st of September, but it has since been extended to the 1st of October, that the matter might be submitted to your further direction.

Questions were also expected to arise, in the recess, in respect to the October instalment of those deposits, requiring the interposition of Congress.

A provision of another act, passed about the same time, and intended to secure a faithful compliance with

the obligation of the United States, to satisfy all demands upon them in specie or its equivalent, prohibiting the offer of any bank note, not convertible on the spot into gold or silver at the will of the holder; and the ability of the government, with millions on deposit, to meet its engagements in the manner thus required by law, was rendered very doubtful by the event to which I have referred.

Sensible that adequate provisions for these unexpected emergencies could only be made by Congress; convinced that some of these would be indispensably necessary to the public service, before the regular period of your meeting; and desirous also to enable you to exercise, at the earliest moment, your full constitutional powers for the relief of the country, I could not with propriety avoid subjecting you to the inconvenience of assembling at as early a day as the state of the popular representation would permit. I am sure that I have done but justice to your feelings, in believing that this inconvenience will be cheerfully encountered, in the hopes of rendering your meeting conducive to the good of the country.

During the earlier stages of the revulsion through which we have just passed, much acrimonious discussion arose, and great diversity of opinion existed, as to its real causes. This was not surprising. The operations of credit are so diversified, and the influence which affect them so numerous, and often so subtle, that even impartial and well-informed persons are seldom found to agree in respect to them. To inherent difficulties were also added other tendencies, which were by no means favorable to the discovery of truth. It was hardly to be expected, that those who disapproved the policy of the government in relation to the currency, would, in the excited state of public feeling produced by that occasion, fail to attribute to that policy any extensive embarrassment in the monetary affairs of the country. The matter thus became connected with the passions and conflicts of party; opinions were more or less affected by political considerations; and differences were prolonged which might otherwise have been determined by an appeal to facts, by the exercise of reason, or by mutual concession. It is,

however, a cheering reflection, that circumstances of this nature cannot prevent a community so intelligent as ours from ultimately arriving at correct conclusions. Encouraged by the firm belief of this truth, I proceed to state my views, so far as may be necessary to a clear understanding of the remedies I feel it my duty to propose, and of the reasons by which I have been led to recommend them.

The history of trade in the United States, for the last three or four years, affords the most convincing evidence that our present condition is chiefly to be attributed to over-action in all the departments of business; an over-action deriving, perhaps, its first impulses from antecedent causes, but stimulated to its destructive consequences by excessive issues of bank paper, and by other facilities for the acquisition and enlargement of credit. At the commencement of the year 1834, the banking capital of the United States, including that of the national bank, then existing, amounted to about two hundred millions of dollars; the bank notes then in circulation to about ninety-five millions; and the loans and discounts of the banks to three hundred and twenty-four millions. Between that time and the first of January, 1836, being the latest period to which accurate accounts have been received, our banking capital was increased to more than two hundred and fifty-one millions; our paper circulation to more than one hundred and forty millions, and the loans and discounts to more than four hundred and fifty-seven millions. To this vast increase are to be added the many millions of credit, acquired by means of foreign loans, contracted by the states and state institutions, and by the lavish accommodations extended by foreign dealers to our merchants.

The consequences of this redundancy of credit, and the spirit of reckless speculation engendered by it, were a foreign debt contracted by our citizens, estimated, in March last, at more than thirty millions of dollars; the extension to dealers in the interior of our country of credits for supplies, greatly beyond the wants of our people; the investment of thirty-nine and a half millions of dollars in unproductive public lands, in the years 1835 and

1836, whilst in the preceding year the sales amounted to only four and a half millions; the creation of debts, to an almost countless amount, for real estate in existing or anticipated cities or villages, equally unproductive, and at prices not seen to have been greatly disproportionate to their real value; the expenditure of immense sums in improvements, which in many cases have been found to be ruinously improvident; the diversion to other pursuits of much of the labor that should have been applied to agriculture, thereby contributing to the expenditure of large sums in the importation of grain from Europe—an expenditure which amounted, in 1834, to about two hundred and fifty thousand dollars, was in the first two quarters of the present year, increased to more than two millions of dollars; and finally, without enumerating other injurious results, the rapid growth among all classes, and especially in our great commercial towns, of luxurious habits, founded too often on merely fancied wealth, and detrimental alike to the industry, the resources, and the morals of our people.

It was so impossible that such a state of things could long continue, that the prospect of revulsion was present to the minds of considerate men before it actually came. None, however, had correctly anticipated its severity. A concurrence of circumstances inadequate of themselves to produce such wide-spread and calamitous embarrassments, tended so greatly to aggravate them that they cannot be overlooked in considering their history. Among these may be mentioned as most prominent, the great loss of capital sustained in our commercial emporium in the fire of December, 1835—a loss, the effects of which were underrated at the time, because postponed for a season by the great facilities of credit then existing; the disturbing effects in our commercial cities, of the transfers of the public moneys, required by the deposit law of June, 1836; and the measures adopted by the foreign creditors of our merchants, to reduce their debts, and to withdraw from the United States a large portion of their specie.

However unwilling any of our citizens may heretofore have been to assign to these causes the chief instrumen-

tality in producing the present state of things, the developments subsequently made, and the actual condition of other commercial countries, must, as it seems to me, dispel all remaining doubts upon the subject. It has since appeared that evils similar to those suffered by ourselves, have been experienced in Great Britain, on the continent, and indeed throughout the commercial world; and that in other countries as well as our own, they have been uniformly preceded by an undue enlargement of the boundaries of trade, prompted, as with us, by an unprecedented expansion of the system of credit. A reference to the amount of banking capital, and the issues of paper credits put in circulation in Great Britain, by banks and in other ways, during the years 1834, 1835, and 1836, will show an augmentation of the paper currency there, as much disproportioned to the real wants of trade as in the United States. With this redundancy of the paper currency, there arose in that country also a spirit of adventurous speculation embracing the whole range of human enterprise. Aid was profusely given to projected improvements; large investments were made in foreign stocks and loans; credits for goods were granted with unbounded liberality to merchants in foreign countries; and all means of acquiring and employing credit were put in active operation, and extended in their effects to every department of business, and to every part of the globe. The reaction was proportioned in its violence to the extraordinary character of events which preceded it. The commercial community of Great Britain were subjected to the greatest difficulties, and their debtors in this country were not only suddenly deprived of accustomed and expected credits, but called upon for payments, which, in the actual posture of things here, could only be made through a general pressure and at the most ruinous sacrifices.

In view of these facts it would seem impossible for inquirers after truth to resist the conviction, that the causes of the revulsion in both countries have been substantially the same. Two nations, the most commercial in the world, enjoying but recently the highest degree of apparent prosperity, and maintaining with each other the clo-

best relations, are suddenly in a time of profound peace, and without any great national disaster, arrested in their career, and plunged into a state of embarrassment and distress. In both countries we have witnessed the same redundancy of paper money, and other facilities of credit; the same spirit of speculation; the same partial success; the same difficulties and reverses; and, at length, nearly the same overwhelming catastrophe. The most material difference between the results in the two countries has only been, that with us there has also occurred an extensive derangement in the fiscal affairs of the federal and state governments, occasioned by the suspension of specie payments by the banks.

The history of these causes and effects in Great Britain and the United States, is substantially the history of the revulsion in all other commercial countries.

The present and visible effect of these circumstances on the operation of the government, and on the industry of the people, point out the objects which call for your immediate attention.

They are—to regulate by law the safe-keeping, transfer, and disbursement of the public moneys; to designate the funds to be received and paid by the government; to enable the treasury to meet promptly every demand upon it; to prescribe the terms of indulgence, and the mode of settlement to be adopted, as well in collecting from individuals the revenue that has accrued, as in withdrawing it from former depositories, and to devise and adopt such further measures, within the constitutional competency of Congress, as will be best calculated to revive the enterprise and to promote the prosperity of the country.

For the deposit, transfer, and disbursement of the revenue, national and state banks have always, with temporary and limited exceptions, been heretofore employed; but, although advocates of each system are still to be found, it is apparent that the events of the last few months have greatly augmented the desire, long existing among the people of the United States, to separate the fiscal operations of the government from those of individuals or corporations.

Again to create a national bank, as a fiscal agent, would be to disregard the popular will, twice solemnly and unequivocally expressed. On no question of domestic policy is there stronger evidence that the sentiments of a large majority are deliberately fixed; and I cannot concur with those who think they see in recent events, a proof that these sentiments are, or a reason that they should be, changed.

Events, similar in their origin and character, have heretofore frequently occurred without producing any such change; and the lessons of experience must be forgotten, if we suppose that the present overthrow of credit would have been prevented by the existence of a national bank. Proneness to excessive issues has ever been the vice of the banking system; a vice as prominent in national as in state institutions. This propensity is as subservient to the advancement of private interests in the one as in the other; and those who direct them both, being principally guided by the same views, and influenced by the same motives, will be equally ready to stimulate extravagance of enterprise by improvidence of credit. How strikingly is this conclusion sustained by experience. The Bank of the United States, with the vast powers conferred on it by Congress, did not or could not prevent former and similar embarrassments; nor has the still greater strength it has been said to possess under its present charter, enabled it, in the existing emergency, to check other institutions, or even to save itself. In Great Britain, where it has been seen the same causes have been attended with the same effects, a national bank, possessing powers far greater than are asked for by the warmest advocates of such an institution here, has also proved unable to prevent an undue expansion of credit, and the evils that flow from it. Nor can I find any tenable ground for the re-establishment of a national bank, in the derangement alleged at present to exist in the domestic exchanges of the country, or in the facilities it may be capable of affording them. Although advantages of this kind were anticipated when the first Bank of the United States was created, they were regarded as an incidental accommodation; not one which the federal government

was bound or could be called upon to furnish. This accommodation is now, indeed, after the lapse of not many years, demanded from it as among its first duties; and an omission to aid and regulate commercial exchange, is treated as a ground of loud and serious complaint. Such results only serve to exemplify the constant desire among some of our citizens to enlarge the powers of the government, and to extend its control to subjects with which it should not interfere. They can never justify the creation of an institution to promote such objects. On the contrary, they justly excite among the community a more diligent inquiry into the character of those operations of trade, towards which it is desired to extend such peculiar favors.

The various transactions that bear the name of domestic exchanges, differ essentially in their nature, operations, and utility. One class of them consists of bills of exchange, drawn for the purpose of transferring actual capital from one part of the country to another, or to anticipate the proceeds of property actually transmitted. Bills of this description are highly useful in the movements of trade, and well deserve all the encouragement that can rightfully be given to them. Another class is made up of bills of exchange, not drawn to transfer actual capital, nor on the credit of property transmitted, but to create fictitious capital, partaking at once of the character of notes discounted in bank, and of bank notes in circulation, and swelling the amount of paper credits in a most objectionable manner. These bills have formed, for the last few years, a large proportion of what are termed the domestic exchanges of the country, serving as the means of usurious profit, and constituting the most unsafe and precarious paper in circulation. This species of traffic, instead of being upheld, ought to be discountenanced by the government and the people.

In transferring its funds from place to place, the government is on the same footing with the private citizen, and may resort to the same legal means. It may do so through the medium of bills drawn by itself, or purchase from others; aud in these operations it may, in a manner undoubtedly constitutional and legitimate, facilitate and

assist exchanges of individuals founded on real transactions of trade. The extent to which this may be done, and the best means of effecting it, are entitled to the fullest consideration. This has been bestowed by the secretary of the treasury, and his views will be submitted to you in his report.

But it was not designed by the constitution that the government should assume the management of domestic or foreign exchange. It is indeed authorized to regulate by law the commerce between the states, and to provide a general standard of value, or medium of exchange, in gold and silver; but it is not its province to aid individuals in the transfer of their funds, otherwise than through the facilities afforded by the post-office department. As justly might it be called on to provide for the transportation of their merchandise. These are operations of trade. They ought to be conducted by those who are interested in them in the same manner that the incidental difficulties of other pursuits are encountered by other classes of citizens. Such aid has not been deemed necessary in other countries. Throughout Europe, the domestic as well as the foreign exchanges are carried on by private houses, often, if not generally, without the assistance of banks. Yet they extend throughout distinct sovereignties, and far exceed in amount the real exchanges of the United States. There is no reason why our own may not be conducted in the same manner with equal cheapness and safety. Certainly this might be accomplished if it were favored by those most deeply interested; and few can doubt that their own interest, as well as the general welfare of the country, would be promoted by leaving such a subject in the hands of those to whom it properly belongs. A system founded on private interest, enterprise and competition, without the aid of legislative grants or regulations by law, would rapidly prosper; it would be free from the influence of political agitation, and extend the same exemption to trade itself; and it would put an end to those complaints of neglect, partiality, injustice, and oppression, which are the unavoidable results of interference by the government in the proper concerns of individuals. All former attempts on the

part of the government to carry its legislation in this respect further than was designed by the constitution, have, in the end, proved injurious, and have served only to convince the great body of the people, more and more, of the certain danger of blending private interests with the operations of public business; and there is no reason to suppose that a repetition of them now would be more successful.

It cannot be concealed that there exists in our community opinions and feelings on this subject in opposition to each other. A large portion of them, combining great intelligence, activity, and influence, and no doubt sincere in their belief that the operations of trade ought to be assisted by such a connection; they regard a national bank as necessary for this purpose, and they are disinclined to every measure that does not tend, sooner or later, to the establishment of such an institution. On the other hand, a majority of the people are believed to be irreconcilably opposed to that measure: they consider such a concentration of power dangerous to their liberties; and many of them regard it as a violation of the constitution. This collision of opinion has doubtless caused much of the embarrassment to which the commercial transactions of the country have lately been exposed. Banking has become a political topic of the highest interest, and trade has suffered in the conflict of parties. A speedy termination of this state of things, however desirable, is scarcely to be expected. We have seen for nearly half a century that those who advocate a national bank, by whatever motive they may be influenced, constitute a portion of our community too numerous to allow us to hope for an abandonment of their favorite plan. On the other hand, they must indeed form an erroneous estimate of the intelligence and temper of the American people, who suppose that they have continued on slight or insufficient grounds their persevering opposition to such an institution; or that they can be induced by pecuniary pressure, or by any other combination of circumstances to surrender principles they have so long and so inflexibly maintained.

My own views of the subject are unchanged. They

have been repeatedly and unreservedly announced to my fellow-citizens, who, with full knowledge of them, conferred upon me the two highest offices of the government. On the last of these occasions, I felt it due to the people to apprise them distinctly that, in the event of my election, I would not be able to co-operate in the re-establishment of a national bank. To these sentiments I have now only to add the expression of an increased conviction, that the re-establishment of such a bank, in any form, whilst it would not accomplish the beneficial purposes promised by its advocates, would impair the rightful supremacy of the popular will; injure the character and diminish the influence of our political system; and bring once more into existence a concentrated moneyed power, hostile to the spirit, and threatening the permanency of our republican institutions.

Local banks have been employed for the deposit and distribution of the revenue, at all times partially, and on three different occasions exclusively; first, anterior to the establishment of the first bank of the United States; secondly, in the interval between the termination of that institution and the charter of its successor; and thirdly, during the limited period which has now so abruptly closed. The connection thus repeatedly attempted, proved unsatisfactory on each successive occasion, notwithstanding the various measures which are adopted to facilitate or insure its success. On the last occasion, in the year 1833, the employment of the state banks was guarded especially in every way which experience and caution could suggest. Personal security was required for the safe-keeping and prompt payment of the moneys to be received, and full returns of their condition were from time to time to be made by the depositaries. In the first stages, the measure was eminently successful, notwithstanding the violent opposition of the Bank of the United States, and the unceasing efforts made to overthrow it. The selected banks performed with fidelity and without embarrassment to themselves or to the community their engagements to the government, and the system promised to be permanently useful. But when it became necessary, under the act of June, 1836, to withdraw from them

the public money for the purpose of placing it in additional institutions, or of transferring it to the states, they found it in many cases inconvenient to comply with the demands of the treasury, and numerous and pressing invitations were made for indulgence or relief. As the instalments under the deposit law became payable, their own embarrassments, and the necessity under which they lay of curtailing their discounts and calling in their debts, increased the general distress, and contributed, with other causes, to hasten the revulsion in which at length they, in common with other banks, were fatally involved.

Under these circumstances, it becomes our solemn duty to inquire whether there are not, in any connection between the government and the banks of issue, evils of greater magnitude, inherent in its very nature, and against which no precautions can effectually guard.

Unforeseen in the organization of the government, and forced on the treasury by early necessities, the practice of employing banks was, in truth, from the beginning, more a measure of emergency than of sound policy. When we started into existence as a nation, in addition to the burdens of the new government, we assumed all the large but honorable load of debt which was the price of our liberty; but we hesitated to weigh down the infant industry of the country by resorting to adequate taxation for the necessary revenue. The facilities of banks, in return for the privileges they acquired, were promptly offered, and perhaps too readily received by an embarrassed treasury. During the long continuance of a national debt, and the intervening difficulties of a foreign war, the connection was continued from motives of convenience; but these causes have long since passed away. We have no emergencies that make banks necessary to aid the wants of the treasury; we have no load of national debt to provide for, and we have on actual deposit a large surplus. No public interest, therefore, now requires the renewal of a connection that circumstances have dissolved. The complete organization of our government, the abundance of our resources, the general harmony which prevails between the different states and with foreign powers, all enable us now to select the sys-

tem most consistent with the constitution, and most conducive to the public welfare. Should we, then, connect the treasury for the fourth time with the local banks, it can only be under a conviction that past failures have arisen from accidental, not inherent defects.

A danger, difficult if not impossible to be avoided, in such an arrangement, is made strikingly evident in the very event by which it has now been defeated. A sudden act of the banks intrusted with the funds of the people, deprives the treasury, without fault or agency of the government, of the ability to pay its creditors in the currency they have by law a right to demand. This circumstance no fluctuation of commerce could have produced, if the public revenue had been collected in the legal currency, and kept in that form by the officers of the treasury. The citizen whose money was in the bank receives it back, since the suspension, at a sacrifice in its amount; while he who kept it in the legal currency of the country, and in his own possession, pursues without loss the current of his business. The government, placed in the situation of the former, is involved in embarrassments it could not have suffered had it pursued the course of the latter. These embarrassments are, moreover, augmented by those salutary and just laws which forbid it to use a depreciated currency, and, by so doing, take from the government the ability which individuals have of accommodating their transactions to such a catastrophe.

A system which can, in a time of profound peace, when there is a large revenue laid by, thus suddenly prevent the application and the use of the money of the people, in the manner and for the objects they have directed, cannot be wise; but who can think, without painful reflection, that under it the same unforeseen events might have befallen us in the midst of a war, and taken from us, at the moment when most wanted, the use of those very means which were treasured up to promote the national welfare and guard our national rights? To such embarrassments and to such dangers will this government be always exposed, whilst it takes the moneys raised for, and necessary to, the public service, out of the hands of its own officers, and converts them into a mere right of ac-

tion against corporations intrusted with the possession of them. Nor can such results be effectually guarded against in such a system, without investing the executive with a control over the banks themselves, whether state or national, that might with reason be objected to. Ours is probably the only government in the world that is liable, in the management of its fiscal concerns, to occurrences like these. But this imminent risk is not the only danger attendant on the surrender of the public money to the custody and control of local corporations. Though the object is to aid the treasury, its effect may be to introduce into the operations of the government, influences the most subtle, founded on interests the most selfish.

The use by the banks, for their own benefit, of the money deposited with them, has received the sanction of the government from the commencement of this connection. The money received from the people, instead of being kept till it is needed for their use, is, in consequence of this authority, a fund, on which discounts are made for the profit of those who happen to be owners of stock in the banks selected as depositories. The supposed and often exaggerated advantages of such a boon will always cause it to be sought for with avidity. I will not stop to consider on whom the patronage incident to it is to be conferred; whether the selection and control to be trusted to Congress or to the executive, either will be subjected to appeals made in every form which the sagacity of interest can suggest. The banks, under such a system, are stimulated to make the most of their fortunate acquisition; loans and circulation are rashly augmented, and when the public exigencies require a return, it is attended with embarrassments not provided for, nor foreseen. The banks that thought themselves most fortunate when the public funds were received, find themselves most embarrassed when the season of payment suddenly arrives.

Unfortunately, too, the evils of the system are not limited to the banks. It stimulates a general rashness of enterprise, and aggravates the fluctuations of commerce and the currency. This result was strikingly exhibited during the operations of the late deposit system, and especially in the purchases of public lands. The order which

ultimately directed the payment of gold and silver in such purchases, greatly checked, but could not altogether prevent the evil. Specie was indeed more difficult to be procured than the notes which the banks could themselves create at pleasure; but still being obtained from them as a loan, and returned as a deposit, which they were again at liberty to use, it only passed round the circle with diminished speed. This operation could not have been performed, had the funds of the government gone into the treasury, to be regularly disbursed, and not into the banks, to be loaned out for their own profit, while they were permitted to substitute for it a credit in account.

In expressing these sentiments, I desire not to undervalue the benefits of a salutary credit to any branch of enterprise. The credit bestowed on probity and industry is the just reward of merit, and an honorable incentive to farther acquisition. None oppose it who love their country and understand its welfare. But when it is unduly encouraged—when it is made to inflame the public mind with the temptations of sudden and unsubstantial wealth —when it turns industry into paths that lead sooner or later to disappointment and distress—it becomes liable to censure, and needs correction. Far from helping probity and industry, the ruin to which it leads fall most heavily on the great laboring classes, who are thrown suddenly out of employment, and by the failure of magnificent schemes, never intended to enrich them, are deprived in a moment of their only resource. Abuses of credit, and excesses in speculation will happen in despite of the most salutary laws; no government perhaps can altogether prevent them; but surely every government can refrain from contributing the stimulus that calls them into life.

Since, therefore, experience has shown, that to lend the public money to the local banks, is hazardous to the operations of the government, at least of doubtful benefit to the institutions themselves, and productive of disastrous derangement in the business and currency of the country, is it the part of wisdom again to renew the connection?

It is true that such an agency is in many respects convenient to the treasury, but it is not indispensable. A

limitation of the expenses of the government to its actual wants, and of the revenue to those expenses, with convenient means for its prompt application to the purposes for which it was raised, are the objects which we should seek to accomplish. The collection, safe-keeping, transfer and disbursements of the public money can, it is believed, be well managed by officers of the government. Its collection, and, to a great extent, its disbursements also, have indeed been hitherto conducted solely by them, neither national or state banks, when employed, being required to do more than keep it safely while in their custody, and transfer and pay it in such portions and at such time as the treasury shall direct.

Such banks are not more able than the government to secure the money in their possession against accident, violence, or fraud. The assertion that they are so, must assume that a vault in a bank is stronger than a vault in the treasury; and that directors, cashiers, and clerks, not selected by the government, nor under its control, are more worthy of confidence than officers selected from the people and responsible to the government; officers bound by official oaths and bonds for a faithful performance of their duties, and constantly subject to the supervision of Congress.

The difficulties of transfer, and the aid heretofore rendered by banks, have been less than is usually supposed. The actual accounts show that by far the larger portion of payments is made within short or convenient distances from the places of collection; and the whole number of warrants issued at the treasury in the year 1834, a year, the results of which will, it is believed, afford a safe test for the future, fell short of five thousand, on an average of less than one daily for each state; in the city of New York they did not average more than two a day, and at the city of Washington only four.

The difficulties heretofore existing, are, moreover, daily lessened by an increase in the cheapness and facility of communication; and it may be asserted with confidence, that the necessary transfers, as well as the safe-keeping and disbursements of the public moneys, can be with safety and convenience accomplished through the agen-

cies of treasury officers. This opinion has been, in some degree, confirmed by actual experience since the discontinuance of banks as fiscal agents, in May last; a period which, from the embarrassments in commercial intercourse, presented obstacles as great as any that may be hereinafter apprehended.

The manner of keeping the public money since that period, is fully stated in the report of the secretary of the treasury. That officer also suggests the propriety of assigning, by law, certain additional duties of existing establishments and officers, which, with the modifications and safeguards referred to by him, will, he thinks, enable the department to continue to perform this branch of the public service, without any material addition either to their number or to the present expense. The extent of the business to be transacted has already been stated; and in respect to the amount of money with which the officers employed would be intrusted at any one time, it appears that, assuming a balance of five millions to be at all times kept in the treasury, and the whole of it left in the hands of the collectors and receivers, the proportion of each would not exceed an average of thirty thousand dollars; but that deducting one million for the use of the mint, and assuming the remaining four millions to be in the hands of one half of the present number of officers—a supposition deemed more likely to correspond with the fact—the sum in the hands of each would still be less than the amount of most of the bonds now taken from the receivers of public money. Every apprehension, however, on the subject, either in respect to the safety of the money or the faithful discharge of these fiscal transactions, may, it appears to me, be effectually removed by adding to the present means of the treasury, the establishment by law, at a few important points, of offices for the deposit and disbursement of such portions of public revenue as cannot, with obvious safety and convenience, be left in the possession of the collecting officers until paid over by them to the public creditors. Neither the amounts retained in their hands, nor those deposited in the offices, would, in an ordinary condition of the revenue, be larger in most cases than those often under the

control of disbursing officers of the army and navy, and might be made entirely safe, by requiring such securities, and exercising such controlling supervision, as Congress may by law prescribe. The principal officers whose appointments would become necessary under this plan, taking the largest number suggested by the secretary of the treasury, would not exceed ten; nor the additional expenses, at the same estimate, sixty thousand dollars a year.

There can be no doubt of the obligation of those who are intrusted with the affairs of government, to conduct them with as little cost to the nation as is consistent with the public interest; and it is for Congress, and ultimately for the people, to decide whether the benefits to be derived from keeping our fiscal concerns apart, and severing the connection which has hitherto existed between the government and banks, offer sufficient advantages to justify the necessary expenses. If the object to be accomplished is deemed important to the future welfare of the country, I cannot allow myself to believe that the addition to the public expenditure of comparatively so small an amount as will be necessary to effect it, will be objected to by the people.

It will be seen by the report of the postmaster-general, herewith communicated, that the fiscal affairs of that department have been successfully conducted since May last, upon the principle of dealing only in the legal currency of the United States, and that it needs no legislation to maintain its credit, and facilitate the management of its concerns; the existing laws being, in the opinion of that officer, ample for those objects.

Difficulties will, doubtless, be encountered for a season, and increased services required from the public functionaries; such are usually incident to the commencement of every system, but they will be greatly lessened in the progress of its operations.

The power and influence supposed to be connected with the custody and disbursement of the public money, are topics on which the public mind is naturally, and with great propriety, peculiarly sensitive. Much has been said of them, in reference to the proposed separation of the

government from the banking institutions; and surely no one can object to any appeals or animadversions on the subject, which are consistent with facts, and evince a proper respect for the intelligence of the people. If a chief magistrate may be allowed to speak for himself, on such a point, I can truly say, that to me nothing would be more acceptable than the withdrawal from the executive, to the greatest practicable extent, of all concern in the disbursement of the public revenue, not that I would shrink from any responsibilty cast upon me by the duties of my office, but because it is my firm belief, that its capacity for usefulness is in no degree promoted by the possession of any patronage not actually necessary to the performance of those duties. But under our present form of government, the intervention of the executive officers in the custody and disbursements of the public money seems to be unavoidable; and before it can be admitted that the influence and power of the executive would be increased by dispensing with the agency of banks, the nature of that intervention in such an agency must be carefully regarded, and a comparison must be instituted between its extent in the two cases.

The revenue can only be collected by officers appointed by the President, with the advice and consent of the senate. The public moneys in the first instance, must therefore, in all cases, pass through hands selected by the executive. Other officers appointed in the same way, or, as in some cases, by the President alone, must also be intrusted with them when drawn for the purpose of disbursements. It is thus seen that even when banks are employed, the public funds must twice pass through the hands of the executive officers. Besides this, the head of the treasury department, who also holds his office at the pleasure of the President, and some other officers of the same departments, must necessarily be invested with more or less power in the selection, continuance, and supervision of the banks that may be employed. The question is then narrowed to the single point, whether in the intermediate stage between the collection and disbursement of the public money, the agency of banks is necessary to avoid a dangerous extension of the patronage and influ-

ence of the executive? But is it clear that the connection of the executive with powerful moneyed institutions, capable of ministering to the interests of men in points where they are most accessible to corruption, is less liable to abuse, than his constitutional agency in the appointment and control of the few public officers required by the proposed plan? Will the public money, when in their hands be necessarily exposed to any improper interference on the part of the executive? May it not be hoped that a prudent fear of public jealousy and disapprobation, in a matter so peculiarly exposed to them, will deter him from any such interference, even if higher motives be found inoperative? May not Congress so regulate by law the duty of those officers, and subject it to such supervision and publicity as to prevent the possibility of any serious abuse on the part of the executive? And is there equal room for such supervision and publicity in a connection with banks, acting under the shield of corporate immunities, and conducted by persons irresponsible to the government and to the people? It is believed that a considerate and candid investigation of these questions will result in the conviction, that the proposed plan is far less liable to objection, on the score of executive patronage and control, than any bank agency that has been, or can be devised.

With these views, I leave to Congress the measures necessary to regulate, in the present emergency, the safekeeping and transfer of the public moneys. In the performance of constitutional duty, I have stated to them, without reserve, the result of my own reflections. The subject is of great importance; and one on which we can scarcely expect to be united in sentiment as we are in interest. It deserves a full and free discussion, and cannot fail to be benefitted by a dispassionate comparison of opinions. Well aware myself of the duty of reciprocal concession among the co-ordinate branches of the government, I can promise a reasonable spirit of co-operation, so far as it can be indulged in without the surrender of constitutional objections which I believe to be well founded. Any system that may be adopted, should be subjected to the fullest legal provision, so as to leave no-

thing to the executive but what is necessary to the discharge of the duties imposed on him; and whatever plan may be ultimately established, my own part shall be so discharged as to give a fair trial, and the best prospect of success.

The character of the funds to be received and disbursed in the transactions of the government, likewise demands your most careful consideration.

There can be no doubt that those who framed and adopted the constitution, having in immediate view the depreciated paper of the confederacy—of which 500 dollars in paper were at times only equal to one dollar in coin—intended to prevent the recurrence of similar evils, so far at least as related to the transactions of the new government. They gave to Congress express powers to coin money, and to regulate the value thereof, and of foreign coin; they refused to give it power to establish corporations, the agents then, as now, chiefly employed to create a paper currency; they prohibited the states from making any thing but gold and silver a legal tender in payment of debts: and the first Congress directed, by positive law, that the revenue should be received in nothing but gold and silver.

Public exigency at the outset of the government, without direct legislative authority, led to the use of banks as fiscal aid to the treasury. In admitted deviation from the law, at the same period, and under the same exigency, the secretary of the treasury received their notes in payment of duties. The sole ground on which the practice, thus commenced, was then or has since been justified, is the certain, immediate, and convenient exchange of such notes for specie. The government did indeed receive the inconvertible notes of state banks during the difficulties of war; and the community submitted without a murmur to the unequal taxation and multiplied evils of which such a course was productive. With the war, this indulgence ceased, and the banks were obliged again to redeem their notes in gold and silver. The treasury, in accordance with the previous practice, continued to dispense with the currency required by the act of 1789, and took the notes of banks in full confidence of their being paid

in specie on demand; and Congress, to guard against the slightest violation of this principle, have declared, by law, that if notes are paid in the transactions of the government, it must be under such circumstances as to enable the holder to convert them into specie without depreciation or delay.

Of my own duties under the existing laws, when the banks suspended specie payments, I could not doubt. Directions were immediately given to prevent the reception into the treasury of any thing but gold and silver, or its equivalent: and every practicable arrangement was made to preserve the public faith, by similar and equivalent payments to the public creditors. The revenue from lands had been for some time substantially so collected, under the order issued by my predecessor. The effects of that order had been so salutary, and its forecast, in regard to the increasing insecurity of bank paper, had become so apparent, that even before the catastrophe, I had resolved not to interfere with its operation. Congress is now to decide whether the revenue shall continue to be so collected or not.

The receipts into the treasury of bank notes not redeemed in specie on demand, will not, I presume, be sanctioned. It would destroy, without the excuse of war or public distress, that equality of imports, and identity of commercial regulation, which lie at the foundation of our confederacy, and would offer to each state a direct temptation to increase its foreign trade by depreciating the currency received for duties in its imports. Such a proceeding would also in a great degree frustrate the policy so highly cherished of infusing into our circulation a large proportion of the precious metals; a policy, the wisdom of which none can doubt, though there may be different opinions as to the extent to which it should be carried. Its results have been already too auspicious, and its success is too closely interwoven with the future prosperity of the country, to permit us for a moment to contemplate its abandonment. We have seen, under its influence, our specie augmented beyond eighty millions; our coinage increased so as to make that of gold amount between August, 1835, and December, 1836, to ten millions of

dollars; exceeding the whole coinage at the mint during the thirty-one previous years. The prospect of further improvement continued without abatement, until the moment of the suspension of specie payments. This policy has now indeed been suddenly checked, but is still far from being overthrown. Amidst all conflicting theories, one position is undeniable; the precious metals will invariably disappear when there ceases to be a necessity for their use as a circulating medium. It was in strict accordance with this truth, that whilst, in the month of May last, they were every where seen, and were current for all ordinary purposes, they disappeared from circulation the moment the payment of specie was refused by the banks, and the community tacitly agreed to dispense with its employment. Their place was supplied by a currency exclusively of paper, and in many cases of the worst description. Already are the bank notes in circulation greatly depreciated, and they fluctuate in value between one place and another; thus diminishing and making uncertain the worth of property and the price of labor, and failing to subserve, except at a heavy loss, the purposes of business. With each succeeding day the metallic currency decreases; by some it is hoarded, in the natural fear that once parted with, it cannot be replaced; while by others it is diverted from its legitimate uses for the sake of gain. Should Congress sanction this condition of things by making irredeemable paper receivable in payment of public dues, a temporary check to a wise and salutary policy will in all probability be converted into its absolute destruction.

It is true that bank notes actually convertible into specie may be received in payment of the revenue without being liable to all these objections, and that such a course may to some extent promote individual convenience; an object always to be considered where it does not conflict with the principles of our government or the general welfare of the country. If such notes only were received, and always under circumstances allowing their early presentation for payment, and if at short and fixed periods, they were converted into specie, to be kept by the treasury, some of the most serious obstacles to their recep-

tion would perhaps be removed. To retain the notes in the treasury would be to renew, under another form, the loans of public money to the banks, and the evils consequent thereon.

It is, however, a mistaken impression that any large amount of specie is required for public payments. Of the seventy or eighty millions now estimated to be in the country, ten millions would be abundantly sufficient for that purpose, provided an accumulation of a large amount of revenue, beyond the necessary wants of the government, be hereafter prevented. If to these considerations be added the facilities which will arise from enabling the treasury to satisfy the public creditors by its drafts or notes received in payment of the public dues, it may be safely assumed that no motive of convenience to the citizen requires the reception of bank paper.

To say that the refusal of paper money by the government, introduces an unjust discrimination between the currency received by it, and that used by individuals in their ordinary affairs, is, in my judgment, to view it in a very erroneous light. The constitution prohibits the states from making any thing but gold and silver a tender in the payment of debts, and thus secure to every citizen, a right to demand payment in the legal currency. To provide by law that the government will only receive its dues in gold and silver, is not to confer on it any peculiar privilege; but merely to place it on an equality with the citizen, by reserving to it a right secured to him by the constitution. It is doubtless for this reason that the principle has been sanctioned by successive laws, from the time of the first Congress under the constitution down to the last. Such precedent, never objected to, and proceeding from such sources, affords a decisive answer to the imputation of inequality or injustice.

But, in fact, the measure is one of restriction, not of favor. To forbid the public agent to receive in payment any other than a certain kind of money, is to refuse him a discretion possessed by every citizen. It may be left to those who have the management of their own transactions, to make their own terms; but no such discretion should be given to him who acts merely as an agent of

the people, who is to collect what the law requires, and to pay the appropriations it makes. When bank notes are redeemed on demand, there is then no discrimination in reality, for the individual who receives them may at his option substitute the specie for them; he takes them from convenience or choice. When they are not so redeemed, it will scarcely be contended that their receipt and payment by a public officer should be permitted, though none deny that right to an individual; if it were, the effect would be most injurious to the public, since their officer could make none of those arrangements to meet or guard against the depreciation, which an individual is at liberty to do. Nor can inconvenience to the community be alleged as an objection to such a regulation. Its object and motive are their convenience and welfare.

If, in a moment of simultaneous and unexpected suspension by the banks, it adds something to the many embarrassments of that proceeding, yet these are far overbalanced by its direct tendency to produce a wider circulation of gold and silver, to increase the safety of bank paper, to improve the general currency, and thus prevent altogether such occurrences, and the other and far greater evils that attended them.

It may, indeed, be questioned, whether it is not for the interest of the banks themselves that the government should not receive their paper. They would be conducted with more caution, and on sounder principles. By using specie only in its transactions, the government would create a demand for it, which would, to a great extent, prevent its exportation, and by keeping it in circulation, maintain a broader and safer basis for the paper currency. That the banks would thus be rendered more sound, and the community more safe, cannot admit of a doubt.

The foregoing views, it seems to me, do but fairly carry out the provisions of the federal constitution in relation to the currency, as far as relates to the public revenue. At the time when that instrument was framed, there were but three or four banks in the United States; and had the extension of the banking system, and the evils grow-

ing out of it, been foreseen, they would probably have been specially guarded against. The same policy which led to the prohibition of bills of credit by the states, would doubtless, in that event, have also interdicted their issue as a currency in any other form. The constitution, however, contains no such prohibition; and, since the states have exercised, for nearly half a century, the power to regulate the business of banking, it is not to be expected that it will be abandoned. The whole matter is now under discussion before the proper tribunal—the people of the states. Never before has the public mind been so thoroughly awakened to a proper sense of its importance; never has the subject in all its bearings been submitted to so searching an inquiry. It would be distrusting the intelligence and virtue of the people, to doubt the speedy and efficient adoption of such measures of reform as the public good demands. All that can rightfully be done by the federal government to promote the accomplishment of that important object will, without doubt, be performed.

In the mean time, it is our duty to provide all the remedies against a depreciated paper currency which the constitution enables us to afford. The treasury department, on several former occasions, has suggested the propriety and importance of a uniform law concerning bankruptcies of corporations and other bankers. Through the instrumentality of such a law, a salutary check may doubtless be imposed on the issues of paper money, and an effectual remedy given to the citizens in a way at once equal in all parts of the Union, and fully authorized by the constitution.

The indulgence granted by executive authority in the payment of bonds for duties, has been already mentioned. Seeing that the immediate enforcement of these obligations would subject a large and highly respectable portion of our citizens to great sacrifices, and believing that a temporary postponement could be made without detriment to other interests, and with increased certainty of ultimate payment, I did not hesitate to comply with the request that was made of me. The terms allowed are to the full extent as liberal as any that are to be found in the

practice of the executive department. It remains for Congress to decide whether a further postponement may not with propriety be allowed, and if so, their legislation on the subject is respectfully invited.

The report of the secretary of the treasury will exhibit the condition of these debts; the extent and effect of the present indulgence; the probable result of its further extension of the state of the treasury, and every other fact necessary to a full consideration of the subject. Similar information is communicated in regard to such depositories of the public moneys as are indebted to the government, in order that Congress may also adopt the proper measures in regard to them.

The receipts and expenditures for the first half of the year, and an estimate of those for the residue, will be laid before you by the secretary of the treasury. In his report of December last, it was estimated that the current receipts would fall short of the expenditures by about three millions of dollars. It will be seen that the difference will be much greater. This is to be attributed not only to the occurrence of greater pecuniary embarrassments in the business of the country than those which were then predicted, and consequently, a greater diminution in the revenue, but also to the fact that the appropriations exceeded, by nearly six millions, the amount which was asked for in the estimates then submitted. The sum necessary for the service of the year, beyond the probable receipts, and the amount which it was intended should be reserved in the treasury at the commencement of the year, will be about six millions. If the whole of the reserved balance be not at once applied to the current expenditures, but four millions be still kept in the treasury, as seems most expedient for the uses of the mint, and to meet contingencies, the sum needed will be ten millions.

In making this estimate, the receipts are calculated on the supposition of some further extension of the indulgence granted in the payment of bonds for duties, which will affect the amount of the revenue for the present year to the extent of two and a half millions.

It is not proposed to procure the required amount by loans or increased taxation. There are now in the trea-

sury $9,377,214, directed by the act of the 23d of June, 1836, to be deposited with the states in October next. This sum, if so deposited, will be subject under the law to be recalled if needed, to defray the existing appropriations; and as it is now evident that the whole, or the principal part of it, will be wanted for that purpose, it appears most proper that the deposit should be withheld. Until the amount can be collected from the banks, treasury notes may be temporarily issued, to be gradually redeemed as it is received.

I am aware that this course may be productive of inconvenience to many of the states. Relying upon the acts of Congress which held out to them the strong probability, if not the certainty, of receiving this instalment, they have in some instances adopted measures with which its retention may seriously interfere. That such a condition of things should have occurred is much to be regretted. It is not the least among the unfortunate results of the disasters of the times; and it is for Congress to devise a fit remedy, if there be one. The money being indispensable to the wants of the treasury, it is difficult to conceive upon what principle of justice or expediency its application to that object can be avoided. To recall any portions of the sums already deposited with the states, would be more inconvenient and less efficient. To burden the country with increased taxation, when there is in fact a large surplus revenue, would be unjust and unwise; to raise moneys by loans under such circumstances, and thus to commence a new national debt, would scarcely be sanctioned by the American people.

The plan proposed will be adequate to all our fiscal operations, during the remainder of the year. Should it be adopted, the treasury, aided by the ample resources of the country, will be able to discharge, punctually, every pecuniary obligation. For the future, all that is needed will be that caution and forbearance in appropriations which the diminution of the revenue requires, and which the complete accomplishment or great forwardness of many expensive national undertakings renders equally consistent with prudence and patriotic liberality.

The preceding suggestions and recommendations are

submitted, in the belief that their adoption by Congress will enable the executive department to conduct the fiscal concerns with success, so far as their management has been committed to it. Whilst the objects and the means proposed to attain them are within its constitutional powers and appropriate duties, they will, at the same time, it is hoped, by their necessary operation, afford essential aid in the transaction of individual concerns, and thus yield relief to the people at large, in a form adapted to the nature of our government. Those who look to the action of this government for specific aid to the citizen to relieve embarrassments arising from losses by revulsions in commerce and credit, lose sight of the ends for which it was created, and the powers with which it is clothed. It was established to give security to us all, in our lawful and honorable pursuits, under the lasting safeguard of republican institutions. It was not intended to confer special favors on individuals, or on any classes of them; to create systems of agriculture, manufactures, or trade; or to engage in them, either separately or in connection with individual citizens or organized associations. If its operations were to be directed for the benefit of any class, equivalent favors must, in justice, be extended to the rest; and the attempt to bestow such favors with an equal hand, or even to select those who should most deserve them, would never be successful.

All communities are apt to look to government for too much. Even in our own country, where its powers and duties are so strictly limited, we are prone to do so, especially at periods of sudden embarrassment and distress. But this ought not to be. The framers of our excellent constitution, and the people who approved it with calm and sagacious deliberation, acted at the time on a sounder principle. They wisely judged that the less government interferes with private pursuits, the better for the general prosperity. It is not its legitimate object to make men rich, or to repair, by direct grants of money or legislation in favor of particular pursuits, losses not incurred in public service. This would be substantially to use the property of some for the benefit of others. But its real duty —that duty, the performance of which makes a good

government the most precious of human blessings—is to enact and enforce a system of general laws commensurate with, but not exceeding, the objects of its establishment, and leave every citizen and every interest to reap, under its benign protection, the reward of virtue, industry, and prudence.

I cannot doubt that on this, as on all similar occasions, the federal government will find its agency most conducive to the security and happiness of the people, when limited to the exercise of its conceded powers. In never assuming, even for a well-meant object, such powers as were not designed to be conferred upon it, we shall, in reality, do most for the general welfare. To avoid every unnecessary interference with the pursuits of the citizen, will result in more benefit than to adopt measures which could only assist limited interests, and are eagerly, but perhaps naturally, sought for, under the pressure of temporary circumstances. If, therefore, I refrain from suggesting to Congress any specific plan for regulating the exchanges of the country—relieving mercantile embarrassments—or interfering with the ordinary operations of foreign or domestic commerce—it is from a conviction that such measures are not within the constitutional province of the general government, and that their adoption would not promote the real and permanent welfare of those they might be designed to aid.

The difficulties and distresses of the times, though unquestionably great, are limited in their extent, and cannot be regarded as affecting the permanent prosperity of the nation. Arising, in a great degree, from the transactions of foreign and domestic commerce, it is upon them that they have chiefly fallen. The great agricultural interest has, in many parts of the country, suffered comparatively little; and as if Providence intended to display the munificence of its goodness at the moment of our greatest need, and in direct contrast to the evils occasioned by the waywardness of man, we have been blessed throughout our extended territory with a season of general health and of uncommon fruitfulness. The proceeds of our great staple will soon furnish the means of liquidating debts at home and abroad, and contribute equally to the revival

of commercial activity, and the restoration of commercial credit. The banks, established avowedly for its support, deriving their profits from it, and resting under obligations to it which cannot be overlooked, will feel at once the necessity and justice of uniting their energies with those of the mercantile interest.

The suspension of specie payments, at such a time and under such circumstances as we have lately witnessed, could not be other than a temporary measure; and we can scarcely err in believing that the period must soon arrive when all that are solvent will redeem their issues in gold and silver. Dealings abroad naturally depend on resources and prosperity at home. If the debt of our merchants has accumulated, or their credit is impaired, these are fluctuations always incident to extensive or extravagant mercantile transactions. But the ultimate security of such obligations does not admit of question. They are guarantied by the resources of a country, the fruits of whose industry afford abundant means of ample liquidation, and by the evident interest of every merchant to sustain a credit hitherto high, by promptly applying these means for its preservation.

I regret that events have occurred which require me to ask your consideration of such serious topics. I could have wished that, in making my first communication to the assembled representatives of my country, I had nothing to dwell upon but the history of her unalloyed prosperity. Since it is otherwise, we can only feel more deeply the responsibility of the respective trusts that have been confided to us, and under the pressure of difficulties, unite in invoking the guidance and aid of the Supreme Ruler of nations, and in laboring with zealous resolution to overcome the difficulties by which we are environed.

It is, under such circumstances, a high gratification to know, by long experience, that we act for a people to whom the truth, however unpromising, can always be spoken with safety; for the trial of whose patriotism no emergency is too severe, and who are sure never to desert a public functionary honestly laboring for the public good. It seems just that they should receive, without delay, any aid in their embarrassments which your deliberations can

afford. Coming directly from the midst of them, and knowing the course of events in every section of our country, from you may best be learned as well the extent and nature of these embarrassments, as the most desirable measure of relief.

I am aware, however, that it is not proper to detain you at present, any longer than may be demanded by the special objects for which you are convened. To them, therefore, I have confined my communication; and believing it would not be your own wish to extend your deliberations beyond them, I reserve till the usual period of your annual meeting, that general information of the state of the Union which the constitution requires me to give.

VAN BUREN'S FIRST ANNUAL MESSAGE,

DECEMBER 4, 1837.

To the Senate
and House of Representatives:

We have reason to renew the expression of our devout gratitude to the Giver of all good for his benign protection. Our country presents on every side the evidences of that continued favor under whose auspices it has gradually risen from a few feeble and dependent colonies to a prosperous and powerful confederacy. We are blessed with domestic tranquillity and all the elements of national prosperity. The pestilence which, invading for a time some flourishing portions of the Union, interrupted the general prevalence of unusual health, has happily been limited in extent, and arrested in its fatal career. The industry and prudence of our citizens are gradually relieving them from the pecuniary embarrassments under which portions of them have labored; judicious legislation, and the natural and boundless resources of the country, have afforded wise and timely aid to private enterprise; and the activity always characteristic of our

people has already in a great degree resumed its usual and profitable channels.

The condition of our foreign relations has not materially changed, since the last annual message of my predecessor. We remain in peace with all nations; and no efforts on my part, consistent with the preservation of our rights and the honor of our country, shall be spared to maintain a position so consonant to our institutions. We have faithfully sustained the foreign policy with which the United States, under the guidance of their first President, took their stand in the family of nations—that of regulating their intercourse with other powers by the approved principles of private life; asking and according equal rights and equal privileges; rendering and demanding justice in all cases; advancing their own and discussing the pretensions of others, with candor, directness and sincerity; appealing at all times to reason, but never yielding to force, nor seeking to acquire any thing for themselves by its exercise.

A rigid adherence to this policy has left this government with scarcely a claim upon its justice, for injuries arising from acts committed by its authority. The most imposing and perplexing of those of the United States upon foreign governments for aggressions upon our citizens, were disposed of by my predecessor. Independently of the benefits conferred upon our citizens by restoring to the mercantile community so many millions of which they had been wrongfully divested, a great service was also rendered to his country by the satisfactory adjustment of so many ancient and irritating subjects of contention; and it reflects no ordinary credit on his successful administration of public affairs, that this great object was accomplished without compromising, on any occasion, either the honor or the peace of the nation.

With European powers, no new subjects of difficulty have arisen; and those which were under discussion, although not terminated, do not present a more unfavorable aspect for the future preservation of that good understanding which it has ever been our desire to cultivate.

Of pending questions, the most important is that which exists with the government of Great Britain, in respect to

our north-eastern boundary. It is with unfeigned regret that the people of the United States must look back upon the abortive efforts made by the executive, for a period of more than half a century, to determine, what no nation should suffer long to remain in dispute, the true line which divides its possessions from those of other powers. The nature of the settlement on the borders of the United States, and of the neighboring territory, was for a season such, that this perhaps was not indispensable to a faithful performance of the duties of the federal government.

Time has, however, changed this state of things; and has brought about a condition of affairs, in which the true interests of both countries imperatively require that this question should be put at rest. It is not to be disguised, that with full confidence, often expressed, in the desire of the British government to terminate it, we are apparently as far from its adjustment as we were at the time of signing the treaty of peace in 1783. The sole result of long-pending negotiations, and a perplexing arbitration, appears to be a conviction, on its part, that a conventional line must be adopted, from the impossibility of ascertaining the true one according to the description contained in that treaty. Without coinciding in this opinion, which is not thought to be well founded, my predecessor gave the strongest proof of the earnest desire of the United States to terminate satisfactorily this dispute, by proposing the substitution of a conventional line, if the consent of the states interested in the question could be obtained.

To this proposition, no answer has yet been received. The attention of the British government, however, has been earnestly invited to the subject, and its reply cannot, I am confident, be much longer delayed. The general relations between Great Britain and the United States are of the most friendly character, and I am well satisfied of the sincere disposition of that government to maintain them upon their present footing. This disposition has also, I am persuaded, become more general with the people of England than at any previous period. It is scarcely necessary to say to you, how cordially it is reciproca-

ted by the government and the people of the United States. The conviction which must be common to all, of the injurious consequences that result from keeping open this irritating question, and the certainty that its final settlement cannot be much longer deferred, will, I trust, lead to an early and satisfactory adjustment. At your last session I laid before you the recent communications between the two governments and between this government and that of the state of Maine, in whose solicitude, concerning a subject in which she has so deep an interest, every portion of the Union participates.

The feelings produced by a temporary interruption of those harmonious relations between France and the United States, which are due as well to the recollections of former times as to a correct appreciation of existing interests, have been happily succeeded by a cordial disposition on both sides to cultivate an active friendship in their future intercourse. The opinion, undoubtedly correct, and steadily entertained by us, that the commercial relations at present existing between the two countries, are susceptible of great and reciprocally beneficial improvements, is obviously gaining ground in France; and I am assured of the disposition of that government to favor the accomplishment of such an object. This disposition shall be met in a proper spirit on our part. The few and comparatively unimportant questions that remain to be adjusted between us, can, I have no doubt, be settled with entire satisfaction, and without difficulty.

Between Russia and the United States, sentiments of good-will continue to be mutually cherished. Our minister recently accredited to that court, has been received with a frankness and cordiality, and with evidences of respect for his country, which leaves us no room to doubt the preservation in future of those amicable and liberal relations which have so long and so uninterruptedly existed between the two countries. On the few subjects under discussion between us, an early and just decision is confidently anticipated.

A correspondence has been opened with the government of Austria, for the establishment of diplomatic relations, in conformity with the wishes of Congress, as in-

dicated by an appropriation act of the session of 1837; and arrangements made for the purpose, which will be duly carried into effect.

With Austria and Prussia, and with the states of the German empire, now composing with the latter the Commercial League, our political relations are of the most friendly character, while our commercial intercourse is gradually extending, with benefit to all who are engaged in it.

Civil war yet rages in Spain, producing intense suffering to its own people, and to other nations inconvenience and regret. Our citizens who have claims upon that country will be prejudiced for a time by the condition of its treasury, the inevitable consequence of long-continued and exhausting internal wars. The last instalment of the interest of the debt due under the convention with the queen of Spain has not been paid; and similar failures may be expected to happen until a portion of the resources of her kingdom can be devoted to the extinguishment of its foreign debt.

Having received satisfactory evidence that discriminating tonnage duties were charged upon vessels of the United States in the ports of Portugal, a proclamation was issued on the 11th day of October last, in compliance with the act of May 25th, 1832, declaring that fact, and the duties on foreign tonnage, which were levied upon Portuguese vessels in the United States, previously to the passage of that act, are accordingly revived.

The act of July 4th, 1836, suspending the discriminating duties upon the produce of Portugal imported into this country in Portuguese vessels, was passed, upon the application of that government, through its representative here, under the belief that no similar discrimination existed in Portugal to the prejudice of the United States I regret to state that such duties are now exacted in that country, upon the cargoes of American vessels; and as the act referred to, vests no discretion in the executive, it is for Congress to determine upon the expediency of further legislation upon the subject. Against these discriminations, affecting the vessels of this country and their cargoes, seasonable remonstrance was made, and notice was given to the Portuguese government, that unless they

should be discontinued, the adoption of countervailing measures on the part of the United States would become necessary; but the reply of that government received at the department of state through our charge d'affaires at Lisbon, in the month of September last, afforded no ground to hope for the abandonment of a system, so little in harmony with the treatment shown to the vessels of Portugal and their cargoes, in the ports of this country, and so contrary to the expectations we had a right to entertain.

With Holland, Sweden, Denmark, Naples, and Belgium, a friendly intercourse has been uninterruptedly maintained.

With the government of the Ottoman Porte, and its dependencies on the coast of the Mediterranean, peace and good-will are carefully cultivated, and have been fostered by such good offices as the relative distance and the condition of those countries would permit.

Our commerce with Greece is carried on under the laws of the two governments, reciprocally beneficial to the navigating interests of both; and I have reason to look forward to the adoption of other measures which will be more extensively and permanently advantageous.

Copies of the treaties concluded with the governments of Siam and Muscat are transmitted for the information of Congress, the ratifications having been received, and the treaties made public, since the close of the last annual session. Already have we reason to congratulate ourselves on the prospect of considerable commercial benefit; and we have, besides, received from the Sultan of Muscat, prompt evidence of his desire to cultivate the most friendly feelings, by liberal acts towards one of our vessels, bestowed in a manner so striking as to require on our part a grateful acknowledgment.

Our commerce with the island of Cuba and Porto Rico, still labors under heavy restriction, the continuance of which is a subject of regret. The only effect of an adherence to them will be to benefit the navigation of other countries, at the expense both of the United States and Spain.

The independent nations of this continent have, ever

since they emerged from the colonial state, experienced severe trials in their progress to the permanent establishment of liberal political institutions. Their unsettled condition not only interrupts their own advances to prosperity, but has often seriously injured the other powers of the world. The claims of our citizens upon Peru, Chili, Brazil, the Argentine Republic, the governments formed out of the republics of Colombia and Mexico, are still pending, although many of them have been presented for examinations more than twenty years. New Grenada, Venezuela, and Ecuador, have recently formed a convention for the purpose of ascertaining and adjusting the claims upon the republic of Colombia, from which it is earnestly hoped our citizens will, ere long, receive full compensation for the injuries originally inflicted upon them, and for the delay in affording it.

An advantageous treaty of commerce has been concluded by the United States with the Peru-Bolivian Confederation, which wants only the ratification of that government. The progress of a subsequent negotiation for the settlement of claims upon Peru, has been unfavorably affected by the war between that power and Chili, and the Argentine Republic; and the same event is likely to produce delays in the settlement of our demands on those powers.

The aggravating circumstances connected with our claims upon Mexico, and a variety of events touching the honor and integrity of our government, led my predecessor to make, at the second session of the last Congress, a special recommendation of the course to be pursued to obtain a speedy and final satisfaction of the injuries complained of by this government and by our citizens. He recommended a final demand of redress, with a contingent authority to the executive to make reprisals, if that demand should be made in vain. From the proceedings of Congress on that recommendation, it appeared that the opinion of both branches of the legislature coincided with that of the executive, that any mode of redress known to the law of nations might justifiably be used. It was obvious, too, that Congress believed, with the President, that another demand should be made, in order

to give undeniable and satisfactory proof of our desire to avoid extremities with a neighboring power; but that there was an indisposition to vest a discretionary authority in the executive to take redress, should it unfortunately be either denied or unreasonably delayed by the Mexican government.

So soon as the necessary documents were prepared, after entering upon the duties of my office, a special messenger was sent to Mexico, to make a final demand of redress, with the documents required by the provisions of our treaty. The demand was made on the 20th of July last. The reply, which bears date the 29th of the same month, contains assurances of a desire, on the part of that government, to give a prompt and explicit answer respecting each of the complaints, but that the examination of them would necessarily be deliberate; that in this examination it would be guided by the principles of public law and the obligation of treaties; that nothing should be left undone that might lead to the most equitable adjustment of our demands; and that its determination, in respect to each case, should be communicated through the Mexican minister here.

Since that time, an envoy extraordinary and minister plenipotentiary has been accredited to this government by that of the Mexican republic. He brought with him assurances of a sincere desire that the pending differences between the two governments should be terminated in a manner satisfactory to both. He was received with reciprocal assurances, and a hope was entertained that his mission would lead to a speedy, satisfactory, and final adjustment of all existing subjects of complaint. A sincere believer in the wisdom of the pacific policy by which the United States have always been governed in their intercourse with foreign nations, it was my particular desire, from the proximity of the Mexican republic, and well-known occurrences on our frontier, to be instrumental in obviating all existing difficulties with that government, and in restoring to the intercourse between the two republics, that liberal and friendly character by which they should always be distinguished. I regret, therefore, the more deeply, to have found in the recent communica-

tions of that government, so little reason to hope that any efforts of mine for the accomplishment of those desirable objects would be successful.

Although the larger number, and many of them aggravated cases of personal wrongs have been now for years before the Mexican government, and some of the causes of national complaint, and those of the most offensive character, admitted of immediate, simple and satisfactory replies, it is only within a few days past that any specific communication in answer to our last demand, made five months ago, has been received from the Mexican minister. By the report of the secretary of state, herewith presented, and the accompanying documents, it will be seen, that for not one of our public complaints has satisfaction been given or offered; that but one of the causes of personal wrong has been favorably considered; and that but four cases of both descriptions, out of all those formally presented, and earnestly pressed, have as yet been decided upon by the Mexican government.

Not perceiving in what manner any of the powers given to the executive alone, could be further usefully employed in bringing this unfortunate controversy to a satisfactory termination, the subject was, by my predecessor, referred to Congress, as one calling for its interposition. In accordance with the clearly understood wishes of the legislature, another and formal demand for satisfaction has been made upon the Mexican government, with what success the documents now communicated will show. On a careful and deliberate examination of their contents, and considering the spirit manifested by the Mexican government, it has become my painful duty to return the subject, as it now stands, to Congress, to whom it belongs to decide upon the time, the mode, and the measures of redress. Whatever may be your decision, it shall be faithfully executed, confident that it will be characterized by that moderation and justice which will, I trust, under all circumstances, govern the councils of our country.

The balance in the treasury on the first day of January, 1837, was forty-five millions nine hundred and sixty-eight thousand five hundred and twenty-three dollars. The

receipts during the present year from all sources, including the amount of treasury notes issued, are estimated at twenty-three millions four hundred and ninety-nine thousand nine hundred and eighty-one dollars, constituting an aggregate of sixty-nine millions four hundred and sixty-eight thousand five hundred and four dollars. Of this amount, about thirty-five millions two hundred and eighty-one thousand three hundred and sixty-one dollars will have been expended, at the end of the year, on appropriations made by Congress; and the residue, amounting to thirty-four millions one hundred and eighty-seven thousand one hundred and forty-three dollars, will be the nominal balance in the treasury on the first of January next. But of that sum, only one million eighty-five thousand four hundred and ninety-eight dollars is considered as immediately available for, and applicable to, public purposes.

Those portions of it which will be for some time unavailable, consist chiefly of sums deposited with the states, and due from the former deposit banks. The details upon this subject will be found in the annual report of the secretary of the treasury. The amount of treasury notes which it will be necessary to issue during the year on account of those funds being unavailable, will, it is supposed, not exceed four and a half millions. It seemed proper in the condition of the country, to have the estimates on all subjects made as low as practicable, without prejudice to any great public measures. The departments were, therefore, desired to prepare their estimates accordingly; and I am happy to find that they have been able to graduate them on so economical a scale.

In the great and often unexpected fluctuations to which the revenue is subjected, it is not possible to compute the receipts beforehand with great certainty; but should they not differ essentially from present anticipations, and should the appropriations not much exceed the estimates, no difficulty seems likely to happen in defraying the current expenses with promptitude and fidelity.

Notwithstanding the great embarrassments which have recently occurred in commercial affairs, and the liberal indulgence which, in consequence of those embarrass-

ments, has been extended to both the merchants and the banks, it is gratifying to be able to anticipate that the treasury notes, which have been issued during the present year will be redeemed, and that the resources of the treasury, without any resort to loans or increased taxes, will prove ample for defraying all charges imposed on it during 1838.

The report of the secretary of the treasury will afford you a more minute exposition of all matters connected with the administration of the finances during the current year; a period which, for the amount of public moneys disbursed and deposited with the states, as well as the financial difficulties encountered and overcome, has few parallels in our history.

Your attention was, at the last session, invited to the necessity of additional legislative provisions in respect to the collection, safe-keeping, and transfer of the public money. No law having been then matured, and not understanding the proceedings of Congress as intended to be final, it becomes my duty again to bring the subject to your notice.

On that occasion, three modes of performing this branch of the public service were presented for consideration. These were, the creation of a national bank; the revival, with modifications, of the deposit system established by the act of the 23d June, 1836, permitting the use of the public moneys by the banks; and the discontinuance of the use of such institutions for the purposes referred to, with suitable provisions for their accomplishment through the agency of public officers. Considering the opinions of both houses of Congress on the two first propositions as expressed in the negative, in which I entirely concur, it is unnecessary for me again to recur to them. In respect to the last, you have had an opportunity, since your adjournment, not only to test still further the expediency of the measure, by the continued practical operation of such parts of it as are now in force, but also to discover —what should ever be sought for and regarded with the utmost deference—the opinions and wishes of the people.

The national will is the supreme law of the republic, and on all subjects within the limits of its constitutional

powers, should be faithfully obeyed by the public servant. Since the measure in question was submitted to your consideration, most of you have enjoyed the advantage of personal communication with your constituents. For one state only has an election been held for the federal government; but the early day at which it took place, deprives the measure under consideration of much of the support it might otherwise have derived from the result. Local elections for state officers have, however, been held in several of the states, at which the expediency of the plan proposed by the executive has been more or less discussed. You will, I am confident, yield to their results the respect due to every expression of the public voice. Desiring, however, to arrive at truth and a just view of the subject in all its bearings, you will at the same time remember, that questions of far deeper and more immediate local interest than the fiscal plans of the national treasury were involved in those elections.

Above all, we cannot overlook the striking fact, that there were, at the time, in those states, more than one hundred and sixty millions of bank capital, of which large portions were subject to actual forfeiture—other large portions upheld only by special and limited legislative indulgences—and most of it, if not all, to a greater or less extent, dependent for a continuance of its corporate existence upon the will of the state legislatures to be then chosen. Apprised of this circumstance, you will judge whether it is not most probable that the peculiar condition of that vast interest in these respects, the extent to which it has been spread through all the ramifications of society, its direct connection with the then pending elections, and the feelings it was calculated to infuse into the canvass, have not exercised a far greater influence over the result than any which could possibly have been produced by a conflict of opinion in respect to a question in the administration of the general government, more remote and far less important in its bearings upon that interest.

I have found no reason to change my own opinion as to the expediency of adopting the system proposed, being perfectly satisfied that there will be neither stability nor safe-

ty, either in the fiscal affairs of the government, or in the pecuniary transactions of individuals and corporations, so long as a connection exists between them, which, like the past, offers such strong inducements to make them the subjects of political agitation. Indeed, I am more than ever convinced of the dangers to which the free and unbiassed exercise of political opinion—the only sure foundation and safeguard of republican government—would be exposed by any further increase of the already overgrown influence of corporate authorities—I cannot, therefore, consistently with my views of duty, advise a renewal of a connection which circumstances have dissolved.

The discontinuance of the use of state banks for fiscal purposes ought not to be regarded as a measure of hostility towards these institutions. Banks properly established and conducted, are highly useful to the business of the country, and doubtless will continue to exist in the states so long as they conform to their laws, and are found to be safe and beneficial. How they should be created, what privileges they should enjoy, under what responsibilities they should act, and to what restrictions they should be subject, are questions which, as I observed on a previous occasion, belong to the states to decide. Upon their rights, or the exercise of them, the general government can have no motive to encroach. Its duty toward them is well performed, when it refrains from legislating for their special benefit, because such legislation would violate the spirit of the constitution, and be unjust to other interests; when it takes no steps to impair their usefulness, but so manages its own affairs as to make it the interest of those institutions to strengthen and improve their condition for the security and welfare of the community at large. They have no right to insist on a connection with the federal government, nor on the use of the public money for their own benefit.

The object of the measure under consideration is, to avoid for the future a compulsory connection of this kind. It proposes to place the general government, in regard to the essential points of the collection, safe-keeping and transfer of the public money, in a situation which shall

relieve it from all dependence on the will of irresponsible individuals or corporations; to withdraw those moneys from the uses of private trade, and confine them to agents constitutionally selected and controlled by law; to abstain from improper interference with the industry of the people, and withhold inducements to improvident dealings on the part of individuals; to give stability to the concerns of the treasury; to preserve the measures of the government from the unavoidable reproaches that flow from such a connection, and the banks themselves from the injurious effects of a supposed participation in the political conflicts of the day, from which they will otherwise find it difficult to escape.

These are my views upon this important subject; formed after careful reflection, and with no desire but to arrive at what is most likely to promote the public interest. They are now, as they were before, submitted with an unfeigned deference for the opinions of others. It was hardly to be hoped that changes so important, on a subject so interesting, could be made without producing a serious diversity of opinion; but so long as those conflicting views are kept above the influence of individual or local interests; so long as they pursue only the general good, and are discussed with moderation and candor, such diversity is a benefit, not an injury. If a majority of Congress see the public welfare in a different light; and more especially if they should be satisfied that the measure proposed would not be acceptable to the people; I shall look to their wisdom to substitute such as may be more conducive to the one, and more satisfactory to the other. In any event, they may confidently rely on my hearty co-operation to the fullest extent which my views of the constitution and my sense of duty will permit.

It is obviously important to this branch of the public service, and to the business and quiet of the country, that the whole subject should in some way be settled and regulated by law; and, if possible, at your present session. Besides the plan above referred to, I am not aware that any one has been suggested, except that of keeping the public money in the state banks, in special deposit. This plan is, to some extent, in accordance with the practice

of the government, and which, except, perhaps during the operation of the late deposit act, has always been allowed, even during the existence of a national bank, to make a temporary use of the state banks, in particular places, for the safe-keeping of portions of the revenue.

This discretionary power might be continued, if Congress deem it desirable, whatever general system may be adopted. So long as the connection is voluntary, we need perhaps anticipate few of those difficulties, and little of that dependence on the banks, which must attend every such connection when compulsory in its nature, and when so arranged as to make the banks a fixed part of the machinery of government. It is undoubtedly in the power of Congress so to regulate and guard it as to prevent the public money from being applied to the use, or intermingled with the affairs, of individuals. Thus arranged, although it would not give to the government that control over its own funds which I desire to secure to it by the plan I have proposed, it would, it must be admitted, in a great degree, accomplish one of the objects which has recommended that plan to my judgment—the separation of the fiscal concerns of the government from those of individuals or corporations.

With these observations, I recommend the whole matter to your dispassionate reflection; confidently hoping that some conclusion may be reached by your deliberations, which, on the one hand, shall give stability to the fiscal operations of the government, and be consistent, on the other, with the genius of our institutions, and with the interests and wishes of the great mass of our constituents.

It was my hope that nothing would occur to make necessary, on this occasion, any allusion to the late national bank. There are circumstances, however, connected with the present state of its affairs, that bear so directly on the character of the government and the welfare of the citizen, that I should not feel myself excused in neglecting to notice them. The charter which terminated its banking privileges on the fourth of March, 1836, continued its corporate powers two years more, for the sole purpose of closing its affairs, with authority "to

use the corporate name, style and capacity, for the purpose of suits, for a final settlement and liquidation of the affairs and acts of the corporation, and for the sale and disposition of their estate, real, personal and mixed, but for no other purpose or in any other manner whatsoever." Just before the banking privileges ceased, its effects were transferred by the bank to a new state institution, then recently incorporated, in trust, for the discharge of its debts and the settlement of its affairs.

With this trustee, by authority of Congress, an adjustment was subsequently made of the large interest which the government had in the stock of the institution. The manner in which a trust unexpectedly created upon the act granting the charter, and involving such great public interests, has been executed, would, under any circumstance, be a fit subject of inquiry; but much more does it deserve your attention when it embraces the redemption of obligations to which the authority and credit of the United States have given value. The two years allowed are now nearly at an end. It is well understood that the trustee has not redeemed and cancelled the outstanding notes of the bank, but has re-issued, and is continually re-issuing, since the 3d of March, 1836, the notes which have been received by it to a vast amount.

According to its own official statement, so late as the first of October last, nineteen months after the banking privileges given by the charter had expired, it had under its control uncancelled notes of the late bank of the United States to the amount of twenty-seven millions five hundred and sixty-one thousand eight hundred and sixty-six dollars, of which six millions one hundred and seventy-five thousand eight hundred and sixty-one dollars were in actual circulation, one million four hundred and sixty-eight thousand six hundred and twenty-seven dollars at state bank agencies, and three millions two thousand three hundred and ninety dollars *in transitu:* thus showing that upwards of ten millions and a half of the notes of the old bank were then still kept outstanding.

The impropriety of this procedure is obvious; it being the duty of the trustee to cancel and not to put forth the notes of an institution, whose concerns it had undertaken

to wind up. If the trustee has a right to re-issue these notes now, I can see no reason why he may not continue to do so after the expiration of the two years. As no one could have anticipated a course so extraordinary, the prohibitory clause of the charter above quoted was not accompanied by any penalty or other special provision for enforcing it; nor have we any general law for the prevention of similar acts in future.

But it is not in this view of the subject alone that your interposition is required. The United States, in settling with the trustee for their stock, have withdrawn their funds from their former direct liability to the creditors of the old bank, yet notes of the institution continue to be sent forth in its name, and apparently upon the authority of the United States. The transactions connected with the employment of the bills of the old bank are of vast extent; and should they result unfortunately, the interests of individuals may be deeply compromised. Without undertaking to decide how far, or in what form, if any, the trustee could be made liable for notes which contain no obligation on his part; or the old bank, for such as are put in circulation after the expiration of its charter, and without its authority; or the government for indemnity in case of loss, the question still presses itself upon your consideration, whether it is consistent with the duty and good faith on the part of the government, to witness this proceeding without a single effort to arrest it.

The report of the Commissioner of the General Land Office, which will be laid before you by the secretary of the treasury, will show how the affairs of that office have been conducted for the past year. The disposition of the public lands is one of the most important trusts confided to Congress. The practicability of retaining the title and control of such extensive domains in the general government, and at the same time admitting the territories embracing them into the federal union, as co-equal with the original states, was seriously doubted by many of our wisest statesmen. All feared that they would become a source of discord, and many carried their apprehensions so far as to see in them the seeds of a future dissolution of the confederacy. But happily our expe-

rience has already been sufficient to quiet, in a great degree, all such apprehensions. The position, at one time assumed—that the admission of new states into the Union on the same footing with the original states, was incompatible with a right of soil in the United States, and operated as a surrender thereof, notwithstanding the terms of the compacts by which their admission was designed to be regulated—has been wisely abandoned.

Whether in the new or the old states, all now agree that the right of soil to the public lands remains in the federal government, and that these lands constitute a common property, to be disposed of for the common benefit of all the states, old and new. Acquiescence in this just principle by the people of the new states has naturally promoted a disposition to adopt the most liberal policy in the sale of the public lands. A policy which should be limited to the mere object of selling the lands for the greatest possible sum of money, without regard to higher considerations, finds but few advocates. On the contrary, it is generally conceded, that while the mode of disposition adopted by the government, should always be a prudent one, yet its leading object ought to be the early settlement and cultivation of the lands sold; and that it should discountenance, if it cannot prevent, the accumulation of large tracts in the same hands, which must necessarily retard the growth of the new states, or entail upon them a dependent territory and its attendant evils.

A question embracing such important interests, and so well calculated to enlist the feelings of the people in every quarter of the Union, has very naturally given rise to numerous plans for the improvement of the existing system. The distinctive features of the policy that has hitherto prevailed, are, to dispose of the public lands at moderate prices, thus enabling a greater number to enter into competition for their purchase, and accomplishing a double object of promoting their rapid settlement by the purchasers, and at the same time increasing the receipts of the treasury; to sell for cash, thereby preventing the disturbing influence of a large mass of private citizens indebted to the government which they have a voice in

controlling; to bring them into market no faster than good lands are supposed to be wanted for improvements, thereby preventing the accumulation of large tracts in few hands; and to apply the proceeds of the sales to the general purposes of the government; thus diminishing the amount to be raised from the people of the states by taxation, and giving each state its portion of the benefits to be derived from this common fund in a manner the most quiet, and, at the same time, perhaps, the most equitable that can be devised.

These provisions, with occasional enactments in behalf of special interests deemed entitled to the favor of government, have, in their execution, produced results as beneficial upon the whole as could reasonably be expected in a matter so vast, so complicated, and so exciting. Upwards of seventy millions of acres have been sold, the greater part of which is believed to have been purchased for actual settlement. The population of the new states and territories created out of the public domain, increased between 1800 and 1830, from less than sixty thousand, to upwards of two millions three hundred thousand souls, constituting, at the latter period, about one fifth of the whole people of the United States. The increase since cannot be accurately known, but the whole may now be safely estimated at over three and a half millions of souls; composing nine states, the representatives of which constitute above one third of the Senate, and over one sixth of the House of the Representatives of the United States.

Thus has been formed a body of free and independent landholders, with a rapidity unequalled in the history of mankind; and this great result has been produced without leaving any thing for future adjustment between the government and its citizens. The system under which so much has been accomplished cannot be intrinsically bad, and with occasional modifications, to correct abuses, and adapt it to changes of circumstances, may, I think, be safely trusted for the future. There is, in the management of such extensive interests, much virtue in stability; and although great and obvious improvements should not be declined, changes should never be made

without the fullest examination, and the clearest demonstration of their practical utility.

In the history of the past, we have an assurance that this safe rule of action will not be departed from in relation to the public lands; nor is it believed that any necessity exists for interfering with the fundamental principles of the system, or that the public mind, even in the new states, is desirous of any radical alterations. On the contrary, the general disposition appears to be, to make such modifications and additions only as will more effectually carry out the original policy of filling our new states and territories with an industrious and independent population.

The modification most perseveringly pressed upon Congress, which has occupied so much of its time for years past, and will probably do so for a long time to come, if not sooner satisfactorily adjusted, is a reduction in the cost of such portions of the public lands as are ascertained to be unsaleable at the rate now established by law, and a graduation, according to their relative value, of the prices at which they may hereafter be sold. It is worthy of consideration whether justice may not be done to every interest in this matter, and a vexed question set at rest, perhaps forever, by a reasonable compromise of conflicting opinions. Hitherto, after being offered at public sale, lands have been disposed of at one uniform price, whatever difference there might be in their intrinsic value.

The leading considerations urged in favor of the measure referred to, are, that in almost all the land districts, and particularly in those in which the lands have been long surveyed and exposed to sale, there are still remaining numerous and large tracts of every gradation of value, from the government price downward; that these lands will not be purchased at the government price, so long as better can be conveniently obtained for the same amount; that there are large tracts which even the improvements of the adjacent lands will never raise to that price; and that the present uniform price, combined with their irregular value, operates to prevent a desirable compactness of settlement in the new states, and to retard the full de-

velopment of that wise policy on which our land system is founded, to the injury not only of the several states where the lands lie, but of the United States as a whole.

The remedy proposed has been a reduction in prices according to the length of time the lands have been in the market, without reference to any other circumstances. The certainty that the efflux of time would not always in such cases, and perhaps not even generally, furnish a true criterion of value; and the probability that persons residing in the vicinity, as the period for the reduction of prices approached, would postpone purchases they would otherwise make, for the purpose of availing themselves of the lower price, with other considerations of a similar character, have hitherto been successfully urged to defeat the graduation upon time.

May not all reasonable desires upon this subject be satisfied without encountering any of these objections? All will concede the abstract principle, that the price of the public lands should be proportioned to their relative value, so far as that can be accomplished without departing from the rule heretofore observed, requiring fixed prices in cases of private entries. The difficulty of the subject seems to lie in the mode of ascertaining what that value is. Would not the safest plan be that which has been adopted by many of the states as to the basis of taxation —an actual valuation of lands and classification of them into different rates?

Would it not be practicable and expedient to cause the relative value of the public lands in the old districts, which have been for a certain length of time in market, to be appraised and classed into two or more rates below the present minimum price, by the officers now employed in this branch of the public service, or in any other mode deemed preferable, and to make those prices permanent, if upon the coming in of the report they shall prove satisfactory to Congress? Cannot all the objects of graduation be accomplished in this way, and the objections which have hitherto been urged against it, avoided? It would seem to me that such a step, with a restriction of the sales to limited quantities, and for actual improvement, would be free from all just exceptions.

By the full exposition of the value of the lands thus furnished and extensively promulgated, persons living at a distance would be informed of their true condition, and enabled to enter into competition with those residing in the vicinity; the means of acquiring an independent home would be brought within the reach of many who are unable to purchase at present prices; the population of the new states would be more compact, and large tracts would be sold which would otherwise remain on hand; not only would the land be brought within the means of a large number of purchasers, but many persons possessed of greater means would be content to settle on a larger quantity of the poorer lands, rather than emigrate farther west in pursuit of a smaller quantity of better lands.

Such a measure would also seem to be more consistent with the policy of the existing laws—that of converting the public domain into cultivated farms owned by their occupants. That policy is not best promoted by sending emigration up the almost interminable streams of the west, to occupy in groups the best spots of land, leaving immense wastes behind them, and enlarging the frontier beyond the means of the government to afford it adequate protection; but in encouraging it to occupy, with reasonable denseness, the territory over which it advances, and find its best defence in the compact front which it presents to the Indian tribes. Many of you will bring to the consideration of the subject the advantage of local knowledge and greater experience, and all will be desirous of making an early and final disposition of every disturbing question in regard to this important interest. If these suggestions shall in any degree contribute to the accomplishment of so important a result, it will afford me sincere satisfaction.

In some sections of the country most of the public lands have been sold, and the registers and receivers have little to do. It is a subject worthy of inquiry whether, in many cases, two or more districts may not be consolidated, and the number of persons employed in this business considerably reduced. Indeed, the time will come, when it will be the true policy of the general government,

as to some of the states, to transfer to them, for a reasonable equivalent, all the refuse and unsold lands, and to withdraw the machinery of the federal land offices altogether. All who take a comprehensive view of our federal system, and believe that one of its greatest excellencies consists in interfering as little as possible with the internal concerns of the states, look forward with great interest to this result.

A modification of the existing laws in respect to the prices of the public lands, might also have a favorable influence on the legislation of Congress, in relation to another branch of the subject. Many who have not the ability to buy at present prices, settle on those lands, with the hope of acquiring from their cultivation the means of purchasing under pre-emption laws, from time to time passed by Congress. For this encroachment on the rights of the United States, they excuse themselves under the plea of their own necessities; the fact that they dispossess nobody, and only enter upon the waste domain; that they give additional value to the public lands in their vicinity, and their intention ultimately to pay the government price. So much weight has from time to time been attached to these considerations, that Congress have passed laws giving actual settlers on the public lands a right of pre-emption to the tracts occupied by them, at the minimum price.

These laws have in all instances been retrospective in their operations; but in a few years after their passage, crowds of new settlers have been found on the public lands, for similar reasons, and under like expectations, who have been indulged with the same privilege. This course of legislation tends to impair public respect for the laws of the country. Either the laws to prevent intrusion upon the public lands should be executed, or, if that should be impracticable or inexpedient, they should be modified or repealed. If the public lands are to be considered as open to be occupied by any, they should, by law, be thrown open to all.

That which is intended, in all instances, to be legalized, should at once be made legal, that those who are disposed to conform to the laws, may enjoy at least equal

privileges with those who are not. But it is not believed to be the disposition of Congress to open the public lands to occupancy without regular entries and payment of the government price, as such a course must tend to worse evils than the credit system, which it was found necessary to abolish.

It would seem, therefore, to be the part of wisdom and sound policy to remove, as far as practicable, the causes which produce intrusions upon the public lands, and then take efficient steps to prevent them in future. Would any single measure be so effective in removing all plausible grounds for these intrusions as the graduation of price already suggested? A short period of industry and economy in any part of our country would enable the poorest citizen to accumulate the means to buy him a home at the lowest prices, and leave him without apology for settling on lands not his own. If he did not, under such circumstances, he would enlist no sympathy in his favor; and the laws would be readily executed without doing violence to public opinion.

A large portion of our citizens have seated themselves on the public lands, without authority, since the passage of the last pre-emption law, and now ask the enactment of another, to enable them to retain the lands occupied, upon payment of the minimum government price. They ask that which has been repeatedly granted before. If the future may be judged of by the past, little harm can be done to the interests of the treasury by yielding to their request. Upon a critical examination, it is found that the lands sold at the public sales since the introduction of cash payments in 1820, have produced, on an average, the nett revenue of only six cents an acre more than the minimum government price. There is no reason to suppose that future sales will be more productive. The government, therefore, has no adequate pecuniary interest to induce it to drive those people from the lands they occupy, for the purpose of selling them to others.

Entertaining these views, I recommend the passage of a pre-emption law for their benefit, in connection with the preparatory steps towards the graduation of the price of the public lands, and farther and more effectual pre-

visions to prevent intrusions hereafter. Indulgence to those who have settled on these lands with expectations that past legislation would be made a rule for the future, and at the same time removing the most plausible ground on which intrusions are excused, and adopting more efficient means to prevent them hereafter, appears to me the most judicious disposition which can be made of this difficult subject.

The limitations and restrictions to guard against abuses in the execution of the pre-emption law, will necessarily attract the attention of Congress; but under no circumstances is it considered expedient to authorize floating claims in any shape. They have been heretofore, and doubtless would be hereafter, most prolific sources of fraud and oppresson, and instead of operating to confer the favor of the government on industrious settlers, are often used only to minister to a spirit of cupidity at the expense of the most meritorious of that class.

The accompanying report of the secretary of war will bring to your view the state of the army, and all the various subjects confided to the superintendence of that officer.

The principal part of the army has been concentrated in Florida, with a view and in the expectation of bringing the war in that territory to a speedy close. The necessity of stripping the posts on the maritime and inland frontiers, of their entire garrisons, for the purpose of assembling in the field an army of less than four thousand men, would seem to indicate the necessity of increasing our regular forces; and the superior efficiency as well as greatly diminished expense of that description of troops, recommend this measure as one of economy, as well as of expediency. I refer to the report for the reasons which have induced the secretary of war to urge the re-organization and enlargement of the staff of the army, and of the ordnance corps, in which I fully concur.

It is not, however, compatible with the interest of the people to maintain, in time of peace, a regular force adequate to the defence of our extensive frontiers. In periods of danger and alarm, we must rely principally upon a well-organized militia; and some general arrangement

that will render this description of force more efficient, has long been a subject of anxious solicitude. It was recommended to the first Congress by General Washington, and has since been frequently brought to your notice, and recently its importance strongly urged by my immediate predecessor.

The provision in the constitution that renders it necessary to adopt a uniform system of organization for the militia throughout the United States, presents an insurmountable obstacle to an efficient arrangement by the classification heretofore proposed, and I invite your attention to the plan which will be submitted by the secretary of war, for the organization of the volunteer corps, and the instruction of militia officers, as more simple and practicable, if not equally advantageous, as a general arrangement of the whole militia of the United States.

A moderate increase of the corps both of military and topographical engineers, has been more than once recommended by my predecessor, and my conviction of the propriety, not to say necessity of the measure, in order to enable them to perform the various and important duties imposed upon them, induces me to repeat the recommendation.

The Military Academy continues to answer all the purposes of its establishment, and not only furnishes well-educated officers of the army, but serves to diffuse throughout the mass of our citizens, individuals possessed of military knowledge, and the scientific attainments of civil and military engineering. At present, the cadet is bound, with the consent of his parents or guardians, to remain in service five years from the period of his enlistment, unless sooner discharged, thus exacting only one year's service in the army after his education is completed. This does not appear to me sufficient. Government ought to command for a longer period the services of those who are educated at the public expense; and I recommend that the time of enlistment be extended to seven years, and the terms of the engagement strictly enforced.

The creation of a national foundry for cannon, to be common to the service of the army and navy of the United States, has been heretofore recommended, and ap-

pears to be required in order to place our ordnance on an equal footing with that of other countries, and to enable that branch of the service to control the prices of those articles, and graduate the supplies to the wants of the government, as well as to regulate their quality and insure their uniformity.

The same reasons induce me to recommend the erection of a manufactory of gunpowder, to be under the direction of the ordnance office. The establishment of a manufactory of small arms west of the Alleghany mountains, upon the plan proposed by the secretary of war, will contribute to extend throughout that country the improvements which exist in establishments of a similar description in the Atlantic states, and tend to a much more economical distribution of the armament required in the western portion of our Union.

The system of removing the Indians west of the Mississippi, commenced by Mr. Jefferson, in 1804, has been steadily persevered in by every succeeding President, and may be considered the settled policy of the country. Unconnected at first with any well-defined system for their improvement, the inducements held out to the Indians were confined to the greater abundance of game to be found in the west; but when the beneficial effects of their removal were made apparent, a more philanthropic and enlightened policy was adopted, in purchasing their lands east of the Mississippi. Liberal prices were given, and provisions inserted in all the treaties with them for the application of the funds they received in exchange, to such purposes as were best calculated to promote their present welfare, and advance their future civilization. These measures have been attended thus far with the happiest results.

It will be seen, by referring to the report of the commissioner of Indian affairs, that the most sanguine expectations of the friends and promoters of this system have been realized. The Choctaws, Cherokees, and other tribes that first emigrated beyond the Mississippi, have, for the most part, abandoned the hunter state, and become cultivators of the soil. The improvement of their condition has been rapid, and it is believed that

they are now fitted to enjoy the advantages of a simple form of government, which has been submitted to them and received their sanction; and I cannot too strongly urge this subject upon the attention of Congress.

Stipulations have been made with all the Indian tribes to remove them beyond the Mississippi, except with the band of the Wyandotts, the Six Nations, in New York, the Menomonees, Mandans, and Stockbridges, in Wisconsin, and Miamies, in Indiana. With all but the Menomonees, it is expected that arrangements for their emigration will be completed the present year. The resistance which has been opposed to their removal by some tribes, even after treaties had been made with them to that effect, has arisen from various causes, operating differently on each of them.

In most instances they have been instigated to resistance by persons to whom the trade with them and the acquisition of their annuities were important; and in some by the personal influence of interested chiefs. These obstacles must be overcome; for the government cannot relinquish the execution of this policy without sacrificing important interests, and abandoning the tribes remaining east of the Mississippi to certain destruction.

The decrease in numbers of the tribes within the limits of the states and territories has been most rapid. If they be removed, they can be protected from those associations and evil practices which exert so pernicious and destructive an influence over their destinies. They can be induced to labor, and to acquire property, and its acquisition will inspire them with a feeling of independence. Their minds can be cultivated, and they can be taught the value of salutary and uniform laws, and be made sensible of the blessings of free government, and capable of enjoying its advantages.

In the possession of property, knowledge, and a good government, free to give what direction they please to their labor, and sharers in the legislation by which their persons and the profits of their industry are to be protected and secured, they will have an ever present conviction of the importance of union, of peace among

themselves, and of the preservation of amicable relations with us.

The interests of the United States would also be greatly promoted by freeing the relations between the general and state governments, from what has proved a most embarrassing incumbrance, by a satisfactory adjustment of conflicting titles to lands, caused by the occupation of the Indians, and by causing the resources of the whole country to be developed by the power of the state and general governments, and improved by the enterprise of a white population.

Intimately connected with this subject is the obligation of the government to fulfil its treaty stipulations, and to protect the Indians thus assembled "at their new residence from all interruptions and disturbances from any other tribes or nations of Indians, or from any other person or persons whatsoever," and the equally solemn obligation to guard from Indian hostilities its own border settlements stretching along a line of more than one thousand miles. To enable the government to redeem their pledge to the Indians, and to afford adequate protection to its own citizens, will require the continual presence of a considerable regular force on the frontiers, and the establishment of a chain of permanent posts. Examinations of the country are now making, with a view to decide on the most suitable points for the erection of fortresses and other works of defence, the results of which will be presented to you by the secretary of war at an early day, together with a plan for the effectual protection of friendly Indians, and the permanent defence of the frontier states.

By the report of the secretary of the navy, herewith communicated, it appears that unremitted exertions have been made at the different navy-yards, to carry into effect all authorized measures for the extension and employment of our naval force. The launching and preparation of the ship of the line Pennsylvania, and the complete repairs of the ships of the line Ohio, Delaware, and Columbus, may be noticed, as forming a respectable addition to this important arm of our national defence. Our commerce and navigation have received increased

aid and protection during the present year. Our squadrons in the Pacific and on the Brazilian station have been much increased, and that in the Mediterranean, although small, is adequate to the present wants of our commerce in that sea. Additions have been made to our squadron on the West India station, where the large force under Commodore Dallas has been most actively and efficiently employed in protecting our commerce, in preventing the importation of slaves, and in co-operating with the officers of the army in carrying on the war in Florida.

The satisfactory condition of our naval force abroad, leaves at our disposal the means of conveniently providing for a home squadron, for the protection of commerce upon our extensive coast. The amount of appropriations required for such a squadron will be found in the general estimates for the naval service, for the year 1838.

The naval officers engaged upon our coast survey, have rendered important service to our navigation. The discovery of a new channel into the harbor of New York, through which our largest ships may pass without danger, must afford important commercial advantages to that harbor, and add greatly to its value as a naval station. The accurate survey of Georges' shoals, off the coast of Massachusetts, lately completed, will render comparatively safe, a navigation hitherto considered dangerous.

Considerable additions have been made to the number of captains, commanders, lieutenants, surgeons and assistant surgeons in the navy. These additions were rendered necessary, by the increased number of vessels put in commission, to answer the exigencies of our growing commerce.

Your attention is respectfully invited to the various suggestions of the secretary, for the improvement of the naval service.

The report of the postmaster-general exhibits the progress and condition of the mail service. The operations of the post-office department, constitutes one of the most active elements of our national prosperity, and it is gratifying to observe with what vigor they are conducted. The mail routes of the United States cover an

extent of about one hundred and forty-two thousand eight hundred and seventy-seven miles, having been increased about thirty-seven thousand one hundred and three miles, within the last two years.

The annual mail transportation on these routes is about 36,228,962 miles, having been increased about 10,359,476 miles within the same period. The number of post-offices has also been increased from 10,770, to 12,099, very few of which receive the mails less than once a week, and a large portion of them daily. Contractors and post-masters in general are represented as attending to their duties with most commendable zeal and fidelity.

The revenue of the department within the year ending on the 30th of June last, was $4,137,066 59; and its liabilities accruing within the same time, were $3,380,847 75. The increase of revenue over that of the preceding year, was $708,166 41.

For many interesting details, I refer you to the report of the postmaster-general, with the accompanying paper. Your particular attention is invited to the necessity of providing a more safe and convenient building for the accommodation of the department.

I lay before Congress copies of reports, submitted in pursuance of a call made by me upon the heads of departments, for such suggestions as their experience might enable them to make, as to what further legislative provisions may be advantageously adopted to secure the faithful application of public money to the objects for which they are appropriated; to prevent their misapplication or embezzlement by those intrusted with the expenditure of them; and generally to increase the security of the government against losses in their disbursement. It is needless to dilate on the importance of providing such new safeguards as are within the power of legislation to promote these ends; and I have little to add to the recommendations submitted in the accompanying papers.

By law, the terms of service of our most important collecting and disbursing officers in the civil departments, are limited to four years, and when re-appointed, their

bonds are required to be renewed. The safety of the public is much increased by this feature of the law, and there can be no doubt that its application to all officers intrusted with the collection or disbursement of the public money, whatever may be the tenure of their offices, would be equally beneficial. I therefore recommend, in addition to such of the suggestions presented by the heads of department as you may think useful, a general provision that all officers of the army or navy, or in the civil department, intrusted with the receipt or payment of the public money, and whose term of service is either unlimited or for a longer time than four years, be required to give bonds, with good and sufficient securities, at the expiration of every such period.

A change in the period of terminating the fiscal year, from the first of October to the first of April, has been frequently recommended, and appears to be desirable.

The distressing casualities in steamboats, which have so frequently happened, during the year, seem to evince the necessity of attempting to prevent them by means of severe provisions connected with their custom-house papers. This subject was submitted to the attention of Congress by the secretary of the treasury, in his last annual report, and will be again noticed at the present session, with additional details. It will doubtless receive that early and careful consideration which its pressing importance appears to require.

Your attention has heretofore been frequently called to the affairs of the District of Columbia, and I should not again ask it, did not their entire dependence on Congress give them a constant claim upon its notice. Separated by the constitution from the rest of the Union, limited in extent, and aided by no legislature of its own, it would seem to be a spot where a wise and uniform system of local government might have been easily adopted.

This district however, unfortunately, has been left to linger behind the rest of the Union; its codes, civil and criminal, are not only very defective, but full of obsolete or inconvenient provisions; being formed of portions of two states, discrepancies in the laws prevail in different parts of the territory, small as it is; and although it was

selected as the seat of the general government, the site of its public edifices, the depository of its archives, and the residence of officers intrusted with large amounts of public property, and the management of public business, yet it has never been subjected to, or received, that special and comprehensive legislation which these circumstances peculiarly demand.

I am well aware of the various subjects of greater magnitude and immediate interest, that press themselves on the consideration of Congress; but I believe there is no one that appeals more directly to its justice, than a liberal and even generous attention to the interests of the District of Columbia, and a thorough and careful revision of its local government.

WASHINGTON'S FAREWELL ADDRESS,

SEPTEMBER 17, 1796.

Friends and Fellow-Citizens:

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice that I should now apprize you of the resolution I have formed, to decline being considered among the number of those out of whom the choice is to be made.

I beg you at the same time to do me the justice to be assured, that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am sup-

ported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove of my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not

permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead—amidst appearances sometimes dubious—vicissitudes of fortunes often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing wishes, that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution which is the work of your hands may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation, and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly

have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of our hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government, which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immoveable attachment to it; accustoming yourselves to think and to speak of it as a palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice, of a common country, that country has a right to concentrate your affections. The name of AMERICAN, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference you have the same religion, manners, habits, and political principle. You have, in a common cause, fought and

triumphed together; the independence and liberty you possess, are the work of joint councils and joint efforts —of common dangers, sufferings, and success.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The *south*, in the same intercourse, benefitting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated—and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in like intercourse with the *west*, already finds in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means

and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries, not tied together by the same government, which their own rivalships alone would be sufficient to produce; but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue of the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties, by geographical discriminations—*Northern* and *Southern; Atlantic* and *Western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other

districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government, and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them every thing they could desire, in respect to our foreign relations, toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

To the efficacy and permanency of your union, a government for the whole is indispensable. No alliances, however strict between the parts, can be an adequate substitute; they must inevitably experience the infractions and interruptions which alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concern. This government, the offspring of your own choice, uninfluenced and unawed; adopted upon full investigation and mature deliberation; completely free in its principles; in the distribution of its powers uniting security with energy, and containing within itself provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of

our political system is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation, the will of party, often a small, but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common counsels, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect in the forms of the constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited,

remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitutions of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially, that from the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty, as indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them upon geographical discriminations. Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissention, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns

this disposition to the purposes of his own elevation on the ruins of the public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight,) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself, through the channels of party passion. Thus the policy and will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of popular character, in governments purely elective, it is a spirit not to be encouraged. From the natural tendency, it is certain there will always be enough of that spirit for every salutary purpose; and there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking, in a free country, should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres; avoiding, in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominate in the human

heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing into different depositories, and constituting each the guardian of the public weal against invasions of the other, has been evinced by experiments, ancient and modern; some of them in our country, and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment in the way in which the constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance, in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connection with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it, is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burdens which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects, (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has

connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! it is rendered impossible by its vices!

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachment for others, should be excluded; and that in the place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is, in some degree, a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to the projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes, perhaps, the liberty of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and the wars of the latter, without adequate inducements or justification. It leads, also, to concessions to the favorite nation of privileges denied to others, which are apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will and a dispo-

sition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupt, or deluded citizens, (who devote themselves to the favorite nation,) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation to a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence, in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practise the art of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter. Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which

are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties, in the ordinary vicissitude of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the

stream of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and natural opinion will permit, but temporary, and liable to be, from time to time, abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit; to warn against the mischiefs of foreign intrigue; to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress,

the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aids of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct, will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country, to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and constancy, which is necessary to give it, humanly speaking, the command of its own fortune.

Though in reviewing the incidents of my administration, I am unconscious of intentional error; I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and

actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate, with pleasing expectation, that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking in the midst of my fellow-citizens, the benign influence of good laws, under a free government; the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

JACKSON'S FAREWELL ADDRESS.

Fellow-Citizens:

Being about to retire finally from public life, I beg leave to offer you my grateful thanks for the many proofs of kindness and confidence which I have received at your hands. It has been my fortune, in the discharge of public duties, civil and military, frequently to have found myself in difficult and trying situations, where prompt decision and energetic action were necessary, and where the interests of the country required that high responsibilities should be fearlessly encountered; and it is with the deepest emotions of gratitude that I acknowledge the continued and unbroken confidence with which you have sustained me in every trial. My public life has been a long one, and I cannot hope that it has at all times been free from errors.

But I have the consolation of knowing that if mistakes have been committed, they have not seriously injured the country I so anxiously endeavoured to serve; and at the moment when I surrender my last public trust, I leave this great people prosperous and happy; in the full enjoyment of liberty and peace; and honored and respected by every nation of the world.

If my humble efforts have, in any degree, contributed to preserve to you these blessings, I have been more than rewarded by the honor you have heaped upon me; and, above all, by the generous confidence with which you have supported me in every peril, and with which you

have continued to animate and cheer my path to the closing hour of my political life. The time has now come, when advanced age and a broken frame warn me to retire from public concerns; but the recollection of the many favors you have bestowed upon me is engraven upon my heart, and I have felt that I could not part from your service without making this public acknowledgment of the gratitude I owe you. And if I use the occasion to offer to you the counsels of age and experience, you will, I trust, receive them with the same indulgent kindness which you have so often extended to me; and will, at least, see in them an earnest desire to perpetuate, in this favored land, the blessings of liberty and equal laws.

We have now lived almost fifty years under the constitution framed by the sages and patriots of the revolution. The conflicts in which the nations of Europe were engaged during a great part of this period; the spirit in which they waged war with each other; and our intimate commercial connections with every part of the civilized world, rendered it a time of much difficulty for the government of the United States. We have had our seasons of peace and of war, with all the evils which precede or follow a state of hostility with powerful nations. We encountered these trials with our constitution yet in its infancy, and under the disadvantages which a new and untried government must always feel when it is called to put forth its whole strength, without the lights of experience to guide it, or the weight of precedent to justify its measures. But we have passed triumphantly through all these difficulties. Our constitution is no longer a doubtful experiment; and at the end of nearly half a century, we find that it has preserved unimpaired the liberties of the people, secured the rights of property, and that our country has improved, and is flourishing beyond any former example in the history of nations.

In our domestic concerns, there is every thing to encourage us; and if you are true to yourselves, nothing can impede your march to the highest point of national prosperity. The states which had so long been retarded in their improvement, by the Indian tribes residing in the

midst of them, are at length relieved from the evil; and this unhappy race—the original dwellers in our land—are now placed in a situation where we may well hope that they will share in the blessings of civilization, and be saved from that degradation and destruction to which they were rapidly hastening while they remained in the states; and while the safety and comfort of our own citizens have been greatly promoted by their removal, the philanthropist will rejoice that the remnant of that ill-fated race has been at length placed beyond the reach of injury or oppression, and that the paternal care of the general government will hereafter watch over them and protect them.

If we turn to our relations with foreign powers, we find our condition equally gratifying. Actuated by the sincere desire to do justice to every nation, and to preserve the blessing of peace, our intercourse with them has been conducted on the part of this government in the spirit of frankness, and I take pleasure in saying that it has generally been met in a corresponding temper. Difficulties of old standing have been surmounted by friendly discussion and the mutual desire to be just; and the claims of our citizens, which had been long withheld, have at length been acknowledged and adjusted, and satisfactory arrangements made for their final payment; and with a limited, and, I trust, a temporary exception, our relations with every foreign power are now of the most friendly character, our commerce continually expanding, and our flag respected in every quarter of the world.

These cheering and grateful prospects, and these multiplied favors, we owe, under Providence, to the adoption of the federal constitution. It is no longer a question whether this great country can remain happily united, and flourish under our present form of government. Experience, the unerring test of all human undertakings, has shown the wisdom and foresight of those who framed it; and has proved, that in the union of these states there is a sure foundation for the brightest hopes of freedom, and for the happiness of the people. At every hazard, and by every sacrifice, this union must be preserved.

The necessity of watching with jealous anxiety for the

preservation of the union, was earnestly pressed upon his fellow-citizens by the father of his country, in his farewell address. He has there told us, that "while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bonds;" and he has cautioned us in the strongest terms against the formation of parties, on geographical discriminations, as one of the means which might disturb our union, and to which designing men would be likely to resort.

The lessons contained in this invaluable legacy of Washington to his countrymen, should be cherished in the heart of every citizen to the latest generation; and, perhaps, at no period of time could they be more usefully remembered than at the present moment. For when we look upon the scenes that are passing around us, and dwell upon the pages of his parting address, his paternal counsels would seem to be not merely the offspring of wisdom and foresight, but the voice of prophecy foretelling events, and warning us of the evil to come. Forty years have passed since this imperishable document was given to his countrymen. The federal constitution was then regarded by him as an experiment, and he so speaks of it in his address; but an experiment upon the success of which the best hopes of his country depended, and we all know that he was prepared to lay down his life, if necessary, to secure to it a full and fair trial. The trial has been made. It has succeeded beyond the proudest hopes of those who framed it. Every quarter of this widely extended nation has felt its blessings, and shared in the general prosperity produced by its adoption. But amid this general prosperity and splendid success, the dangers of which he warned us are becoming every day more evident, and the signs of evil are sufficiently apparent to awaken the deepest anxiety in the bosom of the patriot. We behold systematic efforts publicly made to sow the seeds of discord between different parts of the United States, and to place party divisions directly upon geographical distinctions; to excite the *south* against the *north*, and the *north* against the *south*, and to force into

the controversy the most delicate and excited topics upon which it is impossible that a large portion of the Union can ever speak without strong emotions. Appeals, too, are constantly made to sectional interests, in order to influence the election of the chief magistrate, as if it were desired that he should favor a particular quarter of the country, instead of fulfilling the duties of his station with impartial justice to all; and the possible dissolution of the Union has at length become an ordinary and familiar subject of discussion. Has the warning voice of Washington been forgotten? or have designs already been formed to sever the Union? Let it not be supposed that I impute to all of those who have taken an active part in these unwise and unprofitable discussions a want of patriotism or of public virtue. The honorable feeling of state pride and local attachments, find a place in the bosoms of the most enlightened and pure. But while such men are conscious of their own integrity and honesty of purpose, they ought never to forget that the citizens of other states are their political brethren; and that, however mistaken they may be in their views, the great body of them are equally honest and upright with themselves. Mutual suspicions and reproaches may in time create mutual hostility, and artful and designing men will always be found, who are ready to foment these fatal divisions, and to inflame the natural jealousies of different sections of the country. The history of the world is full of such examples, and especially the history of republics.

What have you to gain by division and dissension? Delude not yourselves with the belief that a breach once made may be afterwards repaired. If the Union is once severed, the line of separation will grow wider and wider, and the controversies which are now debated and settled in the halls of legislation, will then be tried in fields of battle, and be determined by the sword. Neither should you deceive yourselves with the hope, that the first line of separation would be the permanent one, and that nothing but harmony and concord would be found in the new associations, formed upon the dissolution of this Union. Local interests would still be found there, and unchastened ambition. And if the recollection of com-

mon dangers, in which the people of these United States stood side by side against the common foe; the memory of victories won by their united valor; the prosperity and happiness they have enjoyed under the present constitution; the proud name they bear as citizens of this great republic; if these recollections and proofs of common interest are not strong enough to bind us together as one people, what tie will hold this Union dissevered? The first line of separation would not last for a single generation; new fragments would be torn off: new leaders would spring up; and this great and glorious republic would soon be broken into a multitude of petty states; armed for mutual aggressions; loaded with taxes to pay armies and leaders; seeking aid against each other from foreign powers; insulted and trampled upon by the nations of Europe, until harassed with conflicts, and humbled and debased in spirit, they would be ready to submit to the absolute dominion of any military adventurer, and to surrender their liberty for the sake of repose. It is impossible to look on the consequences that would inevitably follow the destruction of this government, and not feel indignant when we hear cold calculations about the value of the Union, and have so constantly before us a line of conduct so well calculated to weaken its ties.

There is too much at stake to allow pride or passion to influence your decision. Never for a moment believe that the great body of the citizens of any state or states can deliberately intend to do wrong. They may, under the influence of temporary excitement or misguided opinions, commit mistakes; they may be misled for a time by the suggestions of self-interest; but in a community so enlightened and patriotic as the people of the United States, argument will soon make them sensible of their errors; and when convinced, they will be ready to repair them. If they have no higher or better motives to govern them, they will at least perceive that their own interest requires them to be just to others as they hope to receive justice at their hands.

But in order to maintain the Union unimpaired, it is absolutely necessary that the laws passed by the constituted authorities should be faithfully executed in every part

of the country, and that every good citizen should, at all times, stand ready to put down, with the combined force of the nation, every attempt at unlawful resistance, under whatever pretext it may be made, or whatever shape it may assume. Unconstitutional or oppressive laws may no doubt be passed by Congress, either from erroneous views or the want of due consideration; if they are within reach of judicial authority, the remedy is easy and peaceful; and if, from the character of the law, it is an abuse of power not within the control of the judiciary, then free discussion and calm appeals to reason and to the justice of the people, will not fail to redress the wrong. But until the law shall be declared void by the courts, or repealed by Congress, no individual or combination of individuals, can be justified in forcibly resisting its execution. It is impossible that any government can continue to exist upon any other principles. It would cease to be a government, and be unworthy of the name, if it had not the power to enforce the execution of its own laws within its own sphere of action.

It is true that cases may be imagined disclosing such a settled purpose of usurpation and oppression, on the part of the government, as would justify an appeal to arms. These, however, are extreme cases, which we have no reason to apprehend in a government where the power is in the hands of a patriotic people; and no citizen who loves his country, would in any case whatever resort to forcible resistance, unless he clearly saw that the time had come when a freeman should prefer death to submission; for if such a struggle is once begun, and the citizens of one section of the country, arrayed in arms against those of another, in doubtful conflict, let the battle result as it may, there will be an end of the Union, and with it an end of the hopes of freedom. The victory of the injured would not secure to them the blessings of liberty; it would avenge their wrongs, but they would themselves share in the common ruin.

But the constitution cannot be maintained, nor the Union preserved, in opposition to public feeling, by the mere exertion of the coercive powers confided to the general government. The foundations must be laid in

the affections of the people; in the security it gives to life, liberty, character, and property, in every quarter of the country; and in the fraternal attachments which the citizens of the several states bear to one another, as members of one political family, mutually contributing to promote the happiness of each other. Hence the citizens of every state should studiously avoid every thing calculated to wound the sensibility or offend the just pride of the people of other states; and they should frown upon any proceedings within their own borders likely to disturb the tranquillity of their political brethren in other portions of the Union. In a country so extensive as the United States, and with pursuits so varied, the internal regulations of the several states must frequently differ from one another in important particulars; and this difference is unavoidably increased by the varying principles upon which the American colonies were originally planted; principles which had taken deep root in their social relations before the revolution, and therefore, of necessity, influencing their policy since they became free and independent states. But each state has the unquestionable right to regulate its own internal concerns according to its own pleasure; and while it does not interfere with the rights of the people of other states, or the rights of the Union, every state must be the sole judge of that measure proper to secure the safety of its citizens and promote their happiness; and all efforts on the part of the people of other states to cast odium upon their institutions, and all measures calculated to disturb their rights of property, or to put in jeopardy their peace and internal tranquillity, are in direct opposition to the spirit in which the Union was formed, and must endanger its safety. Motives of philanthropy may be assigned for this unwarrantable interference; and weak men may persuade themselves for a moment that they are laboring in the cause of humanity, and asserting the rights of the human race; but every one, upon sober reflection, will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others. Rest assured, that the men found busy in this work of discord are not worthy of your confidence, and deserve your strongest reprobation.

In the legislation of Congress, also, and in every measure of the general government, justice to every portion of the United States should be faithfully observed. No free government can stand without virtue in the people, and a lofty spirit of patriotism; and if the sordid feelings of mere selfishness shall usurp the place which ought to be filled by public spirit, the legislation of Congress will soon be converted into a scramble for personal and sectional advantages. Under our free institutions the citizens in every quarter of our country are capable of attaining a high degree of prosperity and happiness, without seeking to profit themselves at the expense of others; and every such attempt must in the end fail to succeed, for the people in every part of the United States are too enlightened not to understand their own rights and interests, and to detect and defeat every effort to gain undue advantages over them; and when such designs are discovered, it naturally provokes resentments which cannot be always allayed. Justice, full and ample justice, to every portion of the United States, should be the ruling principle of every freeman, and should guide the deliberations of every public body, whether it be state or national.

It is well known that there have always been those among us who wish to enlarge the powers of the general government; and experience would seem to indicate that there is a tendency on the part of this government to overstep the boundaries marked out for it by the constitution. Its legitimate authority is abundantly sufficient for all the purposes for which it is created; and its powers being expressly enumerated, there can be no justification for claiming any thing beyond them. Every attempt to exercise power beyond these limits should be promptly and firmly opposed. For one evil example will lead to other measures still more mischievous; and if the principle of constructive powers, or supposed advantages, or temporary circumstances, shall ever be permitted to justify the assumption of a power not given by the constitution, the general government will before long absorb all the powers of legislation, and you will have in effect, but one consolidated government. From the extent of our country, its diversified interests, different pursuits, and diffe-

rent habits, it is too obvious for argument that a single consolidated government would be wholly inadequate to watch over and protect its interests; and every friend of our free institutions should be always prepared to maintain unimpaired and in full vigor the rights and sovereignty of the states, and to confine the action of the general government strictly to the sphere of its appropriate duties.

There is, perhaps, no one of the powers conferred on the federal government so liable to abuse as the taxing power. The most productive and convenient sources of revenue were necessarily given to it, that it might perform the important duties imposed upon it; and the taxes which it lays upon commerce being concealed from the real payer in the price of the article, they do not so readily attract the attention of the people as smaller sums demanded from them directly by the tax-gatherer. But the tax imposed on goods, enhances by so much the price of the commodity to the consumer; and as many of these duties are imposed on articles of necessity which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets. Congress has no right under the constitution to take money from the people unless it is required to execute some one of the specific powers intrusted to the government: and if they raise more than is necessary for such purposes, it is an abuse of the power of taxation, and unjust and oppressive. It may indeed happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid. When, however, this is ascertained, it is easy to reduce them; and, in such a case, it is unquestionably the duty of the government to reduce them, for no circumstances can justify it in assuming a power not given to it by the constitution, nor in taking away the money of the people when it is not needed for the legitimate wants of the government.

Plain as these principles appear to be, you will find that there is a constant effort to induce the general government to go beyond the limits of its taxing power, and to impose unnecessary burdens upon the people. Many powerful interests are continually at work to procure leg-

vy duties on commerce, and to swell the revenue beyond the real necessities of the public service; and the country has already felt the injurious effects of their combined influence. They succeeded in obtaining a tariff of duties bearing most oppressively on the agricultural and laboring classes of society, and producing a revenue that could not be usefully employed within the range of the powers conferred upon Congress; and, in order to fasten upon the people this unjust and unequal system of taxation, extravagant schemes of internal improvement were got up, in various quarters, to squander the money and to purchase support. Thus, one unconstitutional measure was intended to be upheld by another, and the abuse of the power of taxation was to be maintained by usurping the power of expending the money in internal improvements. You cannot have forgotten the severe and doubtful struggle through which we passed, when the executive department of the government, by its veto, endeavored to arrest this prodigal scheme of injustice, and to bring back the legislation of Congress to the boundaries prescribed by the constitution. The good sense and practical judgment of the people, when the subject was brought before them, sustained the course of the executive; and this plan of unconstitutional expenditure for the purposes of corrupt influence is, I trust, finally overthrown.

The result of this decision has been felt in the rapid extinguishment of the public debt, and the large accumulation of a surplus in the treasury, notwithstanding the tariff was reduced, and is now far below the amount originally contemplated by its advocates. But, rely upon it, the design to collect an extravagant revenue, and to burden you with taxes beyond the economical wants of the government, is not yet abandoned. The various interests which have combined together to impose a heavy tariff, and to produce an overflowing treasury, are too strong, and have too much at stake, to surrender the contest. The corporations and wealthy individuals who are engaged in large manufacturing establishments, desire a high tariff to increase their gains. Designing politicians will support it to conciliate their favor, and to obtain the means of profuse expenditure, for the purpose of purcha-

sing influence in other quarters; and since the people have decided that the federal government cannot be permitted to employ its income in internal improvements, efforts will be made to seduce and mislead the citizens of the several states by holding out to them the deceitful prospect of benefits to be derived from a surplus revenue collected by the general government, and annually divided among the states. And if encouraged by these fallacious hopes, the states should disregard the principles of economy which ought to characterise every republican government, and should indulge in lavish expenditures exceeding their resources, they will, before long, find themselves oppressed with debts which they are unable to pay, and the temptation will become irresistible to support a high tariff, in order to obtain a surplus distribution. Do not allow yourselves, my fellow-citizens, to be misled on this subject. The federal government cannot collect a surplus for such purposes, without violating the principles of the constitution, and assuming powers which have not been granted. It is, moreover, a system of injustice, and, if persisted in, will inevitably lead to corruption, and must end in ruin. The surplus revenue will be drawn from the pockets of the people—from the farmer, the mechanic, and the laboring classes of society; but who will receive it when distributed among the states, where it is to be disposed of by leading politicians who have friends to favor, and political partisans to gratify? It will certainly not be returned to those who paid it, and who have most need of it, and are honestly entitled to it. There is but one safe rule, and that is to confine the general government rigidly within the sphere of its appropriate duties. It has no power to raise a revenue, or impose taxes, except for the purposes enumerated in the constitution; and if its income is found to exceed these wants, it should be forthwith reduced, and the burdens of the people so far lightened.

In reviewing the conflicts which have taken place between different interests in the United States, and the policy pursued since the adoption of our present form of government, we find nothing that has produced such deep-seated evil as the course of legislation in relation to

the currency. The constitution of the United States unquestionably intended to secure the people a circulating medium of gold and silver. But the establishment of a national bank by Congress, with the privilege of issuing paper money receivable in the payment of the public dues, and the unfortunate course of legislation in the several states upon the same subject, drove from general circulation the constitutional currency, and substituted one of paper in its place.

It was not easy for men engaged in the ordinary pursuits of business, whose attention had not been particularly drawn to the subject, to foresee all the consequences of a currency exclusively of paper: and we ought not, on that account, to be surprised at the facility with which laws were obtained to carry into effect the paper system. Honest, and even enlightened men are sometimes misled by the specious and plausible statements of the designing. But experience has now proved the mischiefs and dangers of a paper currency, and it rests with you to determine whether the proper remedy shall be applied.

The paper system being founded on public confidence, and having of itself no intrinsic value, it is liable to great and sudden fluctuations; thereby rendering property insecure, and the wages of labor unsteady and uncertain. The corporations which create the paper money cannot be relied upon to keep the circulating medium uniform in amount. In times of prosperity, when confidence is high, they are tempted, by the prospect of gain, or by the influence of those who hope to profit by it, to extend their issues of paper beyond the bounds of discretion and the reasonable demands of business. And when these issues have been pushed on, from day to day, until public confidence is at length shaken, then a reaction takes place, and they immediately withdraw the credits they have given; suddenly curtail their issues; and produce an unexpected and ruinous contraction of the circulating medium, which is felt by the whole community. The banks, by this means, save themselves, and the mischievous consequences of their imprudence or cupidity are visited upon the public. Nor does the evil stop here. These ebbs and flows in

the currency, and these indiscreet extensions of credit, naturally engender a spirit of speculation injurious to the habits and character of the people. We have already seen its effects in the wild spirit of speculation in the public lands, and various kinds of stock, which within the last year or two, seized upon such a multitude of our citizens, and threatened to pervade all classes of society, and to withdraw their attention from the sober pursuits of honest industry. It is not by encouraging this spirit that we shall best preserve public virtue, and promote the true interests of our country. But if your currency continues as exclusively paper as it now is, it will foster this eager desire to amass wealth without labor; it will multiply the number of dependents on bank accommodations and bank favors; the temptation to obtain money at any sacrifice will become stronger and stronger, and inevitably lead to corruption, which will find its way into your public councils, and destroy, at no distant day, the purity of your government. Some of the evils which arise from this system of paper, press with peculiar hardship upon the class of society least able to bear it. A portion of this currency frequently becomes depreciated or worthless, and all of it is easily counterfeited, in such a manner as to require peculiar skill and much experience to distinguish the counterfeit from the genuine notes.

These frauds are most generally perpetrated in the smaller notes, which are used in the daily transactions of ordinary business; and the losses occasioned by them are commonly thrown upon the laboring classes of society, whose situation and pursuits put it out of their power to guard themselves from these impositions, and whose daily wages are necessary for their subsistence. It is the duty of every government so to regulate its currency, as to protect this numerous class as far as practicable from the impositions of avarice and fraud. It is more especially the duty of the United States, where the government is emphatically the government of the people, and where this respectable portion of our citizens are so proudly distinguished from the laboring classes of all other nations, by their independent spirit, their love of liberty, their intelligence, and their high tone of moral

character. Their industry in peace, is the source of our wealth; and their bravery in war, has covered us with glory; and the government of the United States will but ill discharge its duties, if it leaves them a prey to such dishonest impositions. Yet it is evident that their interests cannot be effectually protected, unless silver and gold are restored to circulation.

These views alone, of the paper currency, are sufficient to call for immediate reform; but there is another consideration which should still more strongly press it upon your attention.

Recent events have proved that the paper money system of this country, may be used as an engine to undermine your free institutions; and that those who desire to engross all power in the hands of the few, and to govern by corruption or force, are aware of its power, and prepared to employ it. Your banks now furnish your only circulating medium, and money is plenty or scarce, according to the quantity of notes issued by them. While they have capitals not greatly disproportioned to each other, they are competitors in business, and no one of them can exercise dominion over the rest; and although, in the present state of the currency, these banks may and do operate injuriously upon the habits of business, the pecuniary concerns, and the moral tone of society; yet, from their number and dispersed situation, they cannot combine for the purposes of political influence; and whatever may be the dispositions of some of them, their power of mischief must necessarily be confined to a narrow space, and felt only in their immediate neighborhood.

But when the charter for the Bank of the United States was obtained from Congress, it perfected the schemes of the paper system, and gave its advocates the position they have struggled to obtain, from the commencement of the federal government down to the present hour. The immense capital, the peculiar privileges bestowed upon it, enabled it to exercise despotic sway over the other banks in every part of the country. From its superior strength, it could seriously injure, if not destroy the business of any one of them which might incur

its resentment; and it openly claimed for itself the power of regulating the currency throughout the United States. In other words, it asserted (and undoubtedly possessed) the power to make money plenty or scarce, at its pleasure, at any time, and in any quarter of the Union by controlling the issues of other banks, and permitting an expansion, or compelling a general contraction, of the circulating medium, according to its own will. The other banking institutions were sensible of its strength, and they soon generally became its obedient instruments, ready at all times, to execute its mandates; and with the banks necessarily went also that numerous class of persons in our commercial cities, who depend altogether on bank credits for their solvency and means of business; and who are, therefore, obliged, for their own safety, to propitiate the favor of the money power by distinguished zeal and devotion in its service. The result of the ill-advised legislation which established this great monopoly was to concentrate the whole moneyed power of the Union, with its boundless means of corruption, and its numerous dependents, under the direction and command of one acknowledged head; thus organizing this particular interest as one body, and securing to it unity and concert of action throughout the United States, and enabling it to bring forward, upon any occasion, its entire and undivided strength to support or defeat any measure of the government. In the hands of this formidable power, thus perfectly organized, was also placed unlimited dominion over the amount of the circulating medium, giving it the power to regulate the value of property and the fruits of labor in every quarter of the Union; and to bestow prosperity, or bring ruin upon any city or section of the country, as might best comport with its own interest or policy.

We are not left to conjecture how the moneyed power, thus organized, and with such a weapon in its hands, would be likely to use it. The distress and alarm which pervaded and agitated the whole country, when the Bank of the United States waged war upon the people, in order to compel them to submit to its demands, cannot yet be forgotten. The ruthless and unsparing temper with which

whole cities and communities were oppressed, individuals impoverished and ruined, and a scene of cheerful prosperity suddenly changed into one of gloom and despondency, ought to be indelibly impressed on the memory of the people of the United States. If such was its power in a time of peace, what would it not have been in a season of war, with an enemy at your doors? No nation but the freemen of the United States could have come out victorious from such a contest; yet, if you had not conquered, the government would have passed from the hands of the many to the hands of the few; and this organized money power, from its secret conclave, would have dictated the choice of your highest officers, and compelled you to make peace or war, as best suited their own wishes. The forms of your government might, for a time, have remained; but its living spirit would have departed from it.

The distress and sufferings inflicted on the people by the bank, are some of the fruits of that system of policy which is continually striving to enlarge the authority of the federal government beyond the limits fixed by the constitution. The powers enumerated in that instrument do not confer on Congress the right to establish such a corporation as the Bank of the United States; and the evil consequences which followed may warn us of the danger of departing from the true rule of construction, and of permitting temporary circumstances, or the hope of better promoting the public welfare, to influence in any degree our decisions upon the extent of the authority of the general government. Let us abide by the constitution as it is written, or amend it in the constitutional mode if it is found defective.

The severe lessons of experience will, I doubt not, be sufficient to prevent Congress from again chartering such a monopoly, even if the constitution did not present an insuperable objection to it. But you must remember, my fellow-citizens, that eternal vigilance by the people is the price of liberty; and that you must pay the price if you wish to secure the blessing. It behoves you, therefore, to be watchful in your states, as well as in the federal government. The power which the mo-

neyed interest can exercise, when concentrated under a single head and with our present system of currency, was sufficiently demonstrated in the struggle made by the United States Bank. Defeated in the general government, the same class of intriguers and politicians will now resort to the states, and endeavor to obtain there the same organization, which they failed to perpetuate in the Union; and with specious and deceitful plans of public advantages, and state interests, and state pride, they will endeavor to establish, in the different states, one moneyed institution with overgrown capital, and exclusive privileges sufficient to enable it to control the operations of other banks. Such an institution will be pregnant with the same evils produced by the Bank of the United States, although its sphere of action is more confined; and in the state in which it is chartered, the money power will be able to embody its whole strength, and to move together with undivided force, to accomplish any object it may wish to attain. You have already had abundant evidence of its powers to inflict injury upon the agricultural, mechanical, and laboring classes of society; and over those whose engagements in trade or speculation render them dependent on bank facilities, the dominion of the state monopoly will be absolute, and their obedience unlimited. With such a bank and a paper currency, the money power would in a few years govern the state and control its measures; and if a sufficient number of states can be induced to create such establishments, the time will soon come when it will again take the field against the United States, and succeed in perfecting and perpetuating its organization by a charter from Congress.

It is one of the serious evils of our present system of banking, that it enables one class of society—and that by no means a numerous one—by its control over the currency, to act injuriously upon the interests of all the others, and to exercise more than its just proportion of influence in political affairs. The agricultural, the mechanical, and the laboring classes, have little or no share in the direction of the great moneyed corporations; and from their habits and the nature of their pursuits, they

are incapable of forming extensive combinations to act together with united force. Such concert of action may sometimes be produced in a single city, or in a small district of country, by means of personal communications with each other; but they have no regular or active correspondence with those who are engaged in similar pursuits in distant places; they have but little patronage to give to the press, and exercise but a small share of influence over it; they have no crowd of dependents about them, who hope to grow rich without labor, by their countenance and favor, and who are, therefore, always ready to execute their wishes. The planter, the farmer, the mechanic, and the laborer, all know that their success depends upon their own industry and economy, and that they must not expect to become suddenly rich by the fruits of their toil. Yet these classes form the great body of the people of the United States; they are the bone and sinew of the country; men who love liberty, and desire nothing but equal rights and equal laws, and who, moreover, hold the great mass of our national wealth, although it is distributed in moderate amounts among the millions of freemen who possess it. But, with overwhelming numbers and wealth on their side, they are in constant danger of losing their fair influence in the government, and with difficulty maintain their just rights against the incessant efforts daily made to encroach upon them.

The mischief springs from the power which the moneyed interest derives from a paper currency, which they are able to control, from the multitude of corporations with exclusive privileges, which they have succeeded in obtaining in the different states, and which are employed altogether for their benefit, and unless you become more watchful in your states, and check this spirit of monopoly and thirst for exclusive privileges, you will, in the end, find that the most important powers of government have been given or bartered away, and the control over your dearest interests has passed into the hands of these corporations.

The paper-moneyed system, and its natural associates, monopoly and exclusive privileges, have already struck their roots deep in the soil, and it will require all your

efforts to check its further growth, and to eradicate the evil. The men who profit by the abuses, and desire to perpetuate them, will continue to besiege the halls of legislation in the general government as well as in the states, and will seek, by every artifice, to mislead and deceive the public servants. It is to yourselves that you must look for safety and the means of guarding and perpetuating your free institutions. In your hands is rightfully placed the sovereignty of the country, and to you every one placed in authority is ultimately responsible. It is always in your power to see that the wishes of the people are carried into faithful execution, and their will, when once made known, must sooner or later be obeyed. And while the people remain, as I trust they ever will, uncorrupted and incorruptible, and continue watchful and jealous of their rights, the government is safe, and the cause of freedom will continue to triumph over all its enemies.

But it will require steady and persevering exertions on your part to rid yourselves of the iniquities and mischiefs of the paper system, and to check the spirit of monopoly and other abuses which have sprung up with it, and of which it is the main support. So many interests are united to resist all reform on this subject, that you must not hope the conflict will be a short one, nor success easy. My humble efforts have not been spared, during my administration of the government, to restore the constitutional currency of gold and silver; and something, I trust, has been done towards the accomplishment of this most desirable object. But enough yet remains to require all your energy and perseverance. The power, however, is in your hands, and the remedy must and will be applied if you determine upon it.

While I am thus endeavoring to press upon your attention the principles which I deem of vital importance to the domestic concerns of the country, I ought not to pass over without notice, the important considerations which should govern your policy towards foreign powers. It is unquestionably our true interest to cultivate the most friendly understanding with every nation, and to avoid, by every honorable means, the calamities of war; and we

shall best attain that object by frankness and sincerity in our foreign intercourse, by the prompt and faithful execution of treaties, and by justice and impartiality in our conduct to all. But no nation, however desirous of peace, can hope to escape collisions with other powers; and the soundest dictates of policy require that we should place ourselves in a condition to assert our rights, if a resort to force should ever become necessary. Our local situation, our long line of sea-coast, indented by numerous bays, with deep rivers opening into the interior, as well as her extended and still increasing commerce, point to the navy as our natural means of defence. It will, in the end, be found to be the cheapest and most effectual; and now is the time, in a season of peace, and with an overflowing revenue, that we can year after year add to its strength, without increasing the burdens of the people. It is your true policy. For your navy will not only protect your rich and flourishing commerce in distant seas, but enable you to reach and annoy the enemy, and will give to defence its greatest efficiency, by meeting danger at a distance from home. It is impossible by any line of fortifications to guard every point from attack against a hostile force advancing from the ocean, and selecting its object; but they are indispensable to prevent cities from bombardment; dock-yards and navy arsenals from destruction; to give shelter to merchant vessels in time of war, and to single ships of weaker squadrons when pressed by superior force. Fortifications of this description cannot be too soon completed and armed, and placed in a condition of the most perfect preparation. The abundant means we now possess cannot be applied in any manner more useful to the country; and when this is done, and our naval force sufficiently strengthened, and our military armed, we need not fear that any nation will wantonly insult us, or needlessly provoke hostilities. We shall more certainly preserve peace, when it is well understood that we are prepared for war.

In presenting to you, my fellow-citizens, these parting counsels, I have brought before you the leading principles upon which I endeavored to administer the government in the high office with which you twice honored me.

Knowing that the path of freedom is continually beset by enemies, who often assume the disguise of friends, I have devoted the last hours of my public life to warn you of the dangers. The progress of the United States, under our free and happy institutions, has surpassed the most sanguine hopes of the founders of the republic. Our growth has been rapid beyond all former example, in numbers, in wealth, in knowledge, and all the useful arts which contribute to the comforts and convenience of man; and from the earliest ages of history to the present day, there never have been thirteen millions of people associated together in one political body, who enjoyed so much freedom and happiness as the people of these United States. You have no longer any cause to fear danger from abroad; your strength and power are well known throughout the civilized world, as well as the high and gallant bearing of your sons. It is from within, among yourselves, from cupidity, from corruption, from disappointed ambition, and inordinate thirst for power, that factions will be formed and liberty endangered. It is against such designs, whatever disguise the actors may assume, that you have especially to guard yourselves. You have the highest of human trusts committed to your care. Providence has showered on this favored land blessings without number, and has chosen you, as the guardians of freedom, to preserve it for the benefit of the human race. May He, who holds in his hands the destinies of nations, make you worthy of the favors he has bestowed, and enable you, with pure hearts, and pure hands, and sleepless vigilance, to guard and defend to the end of time the great charge he has committed to your keeping.

My own race is nearly run; advanced age and failing health warn me that before long I must pass beyond the reach of human events, and cease to feel the vicissitudes of human affairs. I thank God that my life has been spent in a land of liberty, and that he has given me a heart to love my country with the affection of a son. And filled with gratitude for your constant and unwavering kindness, I bid you a last and affectionate farewell.

ADDRESS

TO THE

YOUNG MEN AND TO THE PEOPLE

OF AMERICA.

Fellow-Citizens:

The American people seem to have been set apart by Providence to fulfil a lofty and peculiar destiny. The sublime doctrine, that all men are equal before God, may have been taught by sages, and deeply felt by patriots and philanthropists through many long centuries of slavery and darkness; but never, until the great experiment of self-government commenced upon this western continent, was it any thing more than a beautiful theory. The masses of mankind had always fought, and toiled, and groaned, that a few might triumph in the victories they had gained, reap the harvests they had cultivated, and enjoy the fruit of their sufferings. The monstrous faith of millions made for one, was the practical faith of all the old world, christendom and pagandom, and no mighty fiat had proclaimed to man, BE FREE! till Liberty opened her asylum, and kindled up her beacon fires in this new world untrodden by the foot of a tyrant.

God has given us the heritage of freedom. The Pilgrims who crossed the Atlantic left behind them the immediate and bodily presence of aristocracy. The heroes who achieved our independence cast off the direct political control of the same arbitrary power. The statesmen who extinguished the aristocratic influence, more subtle but not less dangerous, of an organized money power emanating from Britain, consummated the work, and if sustained by a people understanding and loving independence, liberty, and equality, will have established them

inestimable blessings and blood-bought rights upon a basis impregnable and everlasting.

Never will such an opportunity be offered a second time to a people who had not the wisdom and the virtue at once to embrace it. If self-government in this full and fair trial of its capacities be found to fail, the hope of liberty is gone forever. If, on the other hand, our constitution should be found able to meet that absolute necessity out of which governments grew, if it should be found competent to fulfil all those high purposes for which governments are maintained, especially if it should be found to answer the ends for which men in society have mutually surrendered some portion of their natural freedom, with less encroachment on their natural rights, at a cheaper rate and in a more satisfactory manner, by a shorter, simpler, surer, and more efficient process, it is not presumptuous to foretell, that sooner or later the example will be every where imitated, and that in the progress of time, as surely as ages roll on, the day will come when the light of liberty shall shine on all who sit in darkness, when over all her wide-spread continents and among her widely differing races, the world shall no longer be governed too much.

This is our part in the world's work. This is the stupendous mission which we are either to thwart, or to accomplish. To realize these soul-cheering expectations, devolves upon the inhabitants of the United States of America.

And who are the inhabitants of the United States? Who were their fathers? Picked men every one of them; tried by the ordeal of adversity, and selected by their tenderness of conscience, their steadfastness in duty, their daring in adventure, their fortitude under suffering. Had they not possessed all these qualities, the desolate coast of Plymouth, the inhospitable home of the savage, would never have received them. Had they not been actuated by the love of civil and religious liberty, no other motive could have retained them "in this howling wilderness" till they had made it rejoice and blossom as the rose. That such a people, coming at such a time, to such a country, should have there planted the liberty which they came to enjoy, and should have kept it as the apple of their eye, and that in

process of time they should have become independent of the mother country, cannot excite surprise. That having no privileged orders or aristocracy of landholders among them, but setting out on the principle of an entire equality of rights, they should have framed and enacted laws calculated to encourage, promote, and preserve that equality, is not to be doubted. Neither is it any thing wonderful that the attempt should be to some extent and for a limited time successful. But the question which the patriot anxiously, the advocate of arbitrary governments sneeringly, asks, is this,—Will your system last? Are there not latent causes of corruption inherent in it which must sooner or later work its overthrow?

The capacity of the people in any nation to govern themselves, however excellent might be their intellectual, moral, and political education, and under whatever favorable circumstances, was not merely called in question; it was almost universally denied: it was only the theory of a few sanguine speculators upon human perfectibility, thinly scattered over the world, until the Fourth of July, seventeen hundred and seventy-six. Since that day it has been a fact, obvious, indisputable, penetrating every where, dispelling by its radiant clearness that political bigotry, in which the millions of our race had blindly submitted to the fiat of arbitrary power as to the irresistible decree of fate. It is the star of Hope and Promise. Enlightened by its beams, the oppressed discern the weakness of the tyrant. They now no longer must bow their servile necks beneath the yoke of one of their fellows, neither stronger nor better than themselves: no longer must the many sow, that the few may reap; no longer must myriads toil, and sin, and suffer, and perish, that one glorious name may fill a page in history: no longer shall the husbandman and the artisan, torn from their peaceful labors to carry desolation and death to the homes of those who have never wronged them, be dragged, brute victims to slaughter, at the chariot wheels of a conqueror. Freedom guarantees governments in the interests of those that are governed, and intelligence and virtue are now the only qualifications necessary for the enjoyment of freedom.

Independence is proclaimed, and with the sound a na-

tion starts into being, not like her elder sisters, held in thraldom, but all her limbs unbound and free; not like them, slow of growth, and after a tardy development, attaining only to a dwarfish deformity, but like Minerva, from the head of Jove, at once mature in wisdom, courage, dignity, and power, knowing her rights, and fully armed to maintain them against every aggressor, asking nothing but what is right, submitting to nothing wrong—equally ready to vindicate her just cause, whether Britain provokes her youthful energies, or France delays to do her justice, or Algiers or Mexico insults her hardy sons upon that element which is their home and empire.

The Fourth of July, 1776, was the date of our political separation from Great Britain. The separation left the colonies independent states. But political independence was only a single step towards freedom from foreign influence. Much remained to be done—alas! much yet remains to be done—before these United States can be pronounced to be completely and in the broadest sense independent of Great Britain. The British spirit is still largely felt; it still in a great measure predominates over our literature, our manners and customs, through the whole tone of our society, in the whole tenor and spirit of our laws, and in far too much of our domestic and foreign policy. It was natural that this should have been so; it is inexcusable that it should remain so. It is high time that we were independent, not only politically, but intellectually, morally, and without qualification.

The founders of our states were British emigrants. They brought with them the spirit of liberty, but it was the spirit of British liberty, as modified by British institutions, and as qualified by British prejudices. They were firm, consistent, and loyal friends of the British constitution, and they were disposed to yield a hearty obedience to the British government, within the limits of the British constitution. The British government undertook to impose upon them burdens which the British constitution did not warrant, and like true Englishmen they resisted. They vindicated for themselves the rights and privileges of Englishmen. This brought on alienation, war, secession, and those who at first meant only to hold

fast their birthright as British subjects, ended by casting off their allegiance to the British crown.

At the commencement of the revolution, our fathers were, generally speaking, whigs; that is to say, they were warmly attached to the British constitution as it then existed. They were attached, and adhered with a loyal fervor, to hereditary monarchy in the Protestant succession, to a hereditary peerage, and to that elective aristocracy, the house of commons, which by a legal fiction was said to represent the people of Great Britain. They were thoroughly imbued with British principles—with whig principles; but in the course of a seven years' war most of them got gradually, though effectually, rid of these principles—they ceased to be British whigs, and became American democrats.

The mere act however of severing the political connection between ourselves and the mother country did not, of itself, necessarily and immediately, alter the whole complexion of every article in the political creed of every American. Some, no doubt, who were most bigoted in their attachment to British principles, continued in the faith in which they were brought up—continued to be whigs. It has even been said, that, long after the war was over, there were distinguished men who still held fast to the whig system. It was said that Alexander Hamilton declared that the British constitution, with all its faults, and with all its corruptions, was the most admirable constitution upon the face of the globe, and that without its corruptions it would be altogether impracticable. If this were so, this great man must have been a thorough whig after the federal constitution had been some years in operation. It cannot be doubted that there were others who entertained, if they did not avow, the sentiment attributed to Hamilton. Such sentiments, under various disguises, have survived to the present day. There is reason to suppose that genuine whigs may yet be found in New England, the part of the country which most nearly resembles Old England, still cherishing, through good report and evil report, the political faith which they inherit from ante-revolutionary times; like Bourbons, forgetting nothing, learning nothing,—un-

changeable through sixty years of hard experience. These whigs, however, must be antiquities and curiosities,—few and far between, contrasting oddly enough with rational American democrats.

The majority of the people, however, are not, and never again can be whigs. They desire, and have long desired, to cast off that British influence, which weighs so heavily upon us, from education and habit, but which is so repugnant to our institutions, condition, and character. It is therefore interesting to ascertain, by what steps, and how far, we have discarded the unwholesome control of notions derived from our colonial dependence; and by what measures, and to what extent it is expedient that we should endeavor to eradicate the leaven that remains, and to make ourselves in very deed and truth, as our fathers declared that we are, and of right ought to be, free and independent states.

The power to tax the colonies without their consent was never constitutionally possessed by Great Britain. The attempt to exercise this power brought on resistance, and a war, in the course of which the declaration of independence was issued, and maintained. The successful issue of that contest, under the auspices of Washington, forever freed our necks from the yoke of foreign political supremacy. After the peace, the incompetency of the confederation, and the evident tendency towards anarchy in the several states, produced *a reaction in favor of the British system*, which, while the war was raging, had fallen into disrepute. The British constitution was held up as as the only model, and the perfect model, of a free government. A leading whig of those times, a more consistent, not to say more honest whig than any of the present day, proposed an executive for life, to have the power of nominating the governors of the different states, with a senate during good behavior, in effect for life, as conservative institutions to counterbalance the democratic force of the popular impulses that make themselves felt in our government. The democracy however was then so strong that not all the genius of Hamilton, with the authority of the genuine whigs associated with him, mighty names some of them, could impose upon the people a

scheme bearing these aristocratic features. Under the mediation of Washington a compromise was effected. A government too strong for the fears of Patrick Henry and of Jefferson, and many other sagacious, patriotic, and eminent statesmen, but not strong enough to answer the views of Hamilton, and the other admirers of the British constitution, was recommended by the convention, and adopted by the popular suffrages. The crisis was safely passed, and the father of American freedom was a second time the savior of his country.

When on the twenty-first of February, seventeen hundred eighty-seven, a grand committee of which the Hon. NATHAN DANE was chairman, reported to congress their entire conviction of the inefficiency of the federal government under the old confederation, and of the necessity of devising such further provisions as should render the same adequate to the exigencies of the Union, and strongly recommended to the different legislatures to send delegates to the convention at Philadelphia which formed the present constitution, they not only felt the evils to which the want of a supreme federal head exposed the country, while the bands of union were so loose that we could not be entitled to the character of a nation—they not only preceived that the country stood upon the verge of ruin; divided against itself; all ties dissolved; all parties claiming authority and refusing obedience; sedition, though intimidated, not disarmed; ourselves in debt to foreigners, and large sums due internally; the taxes in arrears, and still accumulating; manufactures destitute of materials, capital, and skill; agriculture despondent; commerce bankrupt—they not only saw and felt all this, I say, but they felt the imminent danger of still greater evils which as yet they knew not of; they saw the combustibles collected; the mine prepared; the smallest spark capable of producing an explosion. Their sagacity showed them in no distant future the fearful vision of the abyss of anarchy into which they must plunge when that explosion had scattered the crazy fabric of their government. Hanging over the precipice, they gazed into the dark recesses beyond, and there beheld the broken and dishonored fragments of a once glorious union;—

states dissevered, discordant, belligerent; a land rent with civil feuds, or drenched, it might be, in fraternal blood. The Congress who accepted that report knew well that a way of escape must be found from the perils that environed them, and they knew, too, that no other refuge remained than the possibility of erecting an efficient, substantial and permanent government. They knew that a more intimate union of the states must be established, or the country must perish: every ray of hope that could light them on in any course but this was already extinguished. When Washington, in the same year, consented to serve in the convention called for that purpose, to assist in "averting the contemptible figure which the American communities were about to make, in the annals of mankind, with their separate, independent, jealous, state sovereignties," he was fully aware of the momentous import of the crisis and of the appalling weight of responsibility which devolved upon the members of that body. He looked forward to success in this final undertaking as to a welcome salvation from the vortex of ruin, and he looked upon the failure of this attempt, if it had issued in failure, as upon the wreck of American liberties and the catastrophe of republican governments forever.

It needed not the study of the Amphyctionic council, or of the Achaian league, or of any of those ephemeral alliances which were continually forming and dissolving among the ancient petty states of Greece, to impress upon his mind the solemn conviction of the reality of the view he then took of the posture of our affairs. It was not necessary to explore the annals of the German empire, to peruse the chronicles of the unceasing and murderous struggles of the Italian republics, to search the history of the restless cantons of Switzerland, or examine the records of the United Provinces of the Low Countries, no, nor to recur to any other unsuccessful experiment, ancient or modern, to be abundantly satisfied that the relation of free states, bordering on each other, and not restrained by a common government, is a relation of fierce, relentless, and almost unintermitted warfare. The circumstances of the times exhibited but too distinctly the prevailing tendencies; collisions were becoming every day

more frequent and more violent; the fury of hostile passions was kindling fast, and, with a little more fanning, would have burst into one universal, all-devouring conflagration.

Thanks be to God, America was saved. Under the guidance of Washington and his illustrious compeers, she trod the path of safety, and her progress in it has been a career of unparalleled prosperity and glory. Her wise men erected the well-proportioned edifice of a national government, upon which foreign nations could not look but with respect, under whose protection the several states enjoy securely all their reserved rights, without encroaching upon each other's privileges, or conflicting with each other's interests; beneath whose friendly shelter agriculture, commerce, and the arts thrive and fructify. May its blessings be magnificent as its objects, coextensive with its influence, and its duration lasting as time; and when after a complete century shall have rolled over the continent, and two hundred millions of freemen calling our language their mother tongue, shall have peopled, but not crowded, our vast territory, may they, as one united nation of brethren, look forward, through the distant and dim perspective of countless future ages, to the bright vision of coming generations, more numerous, wiser, happier, and better than themselves, successively, to the end of time, with the same confidence in the perfectibility of our race, and the same reliance on the overruling favor of Providence with which we now look forward to their destiny.

Washington not only burst asunder the British chain, but his wisdom and his weight of character introduced that expedient, our existing constitution, which averted the natural and the threatening revulsion of British principles; a revulsion which would have been absolutely irresistible after a few years of suffering and anarchy.

The constitution was an expedient which saved us on the one hand from anarchy and its miseries, on the other hand *from that reaction in favor of the high-toned and aristocratic doctrines of the whigs, which must have followed anarchy.* It was admirably adapted—it was almost miraculously adapted to its objects, considering the circumstances under which it originated. It soon became

apparent however that the federal government was not to be an exception to the ordinary principles which regulate the actions of ambitious men placed in situations calculated to stimulate their ambition. Power is to ambition what wealth is to avarice. Instead of satisfying the desire, it creates an insatiable craving for more. The disposition of power to arrogate to itself more power, was exemplified in the federal government, as it had been in every other since the world began. This became its guiding and its governing principle; opposition to this was the criterion and the substance of democracy. In its course it swelled and grew like a snow-ball, till it accumulated to the magnitude, and moved with the ponderous momentum of an avalance.

The democratic party includes both rich and poor, learned and unlearned, those endowed with genius, and those unblessed by nature; but its greatest strength resides in what is often called the middling interest, and especially in the substantial yeomanry of the country, for they have seldom any interest adverse to the common good of all. Democracy is the party of equal rights, equal laws, equal privileges, universal protection. Its foundation rests upon eternal principles of equity and justice. Its creed is in the ordination of Providence, the constitution of nature, and the wisdom of revelation. It has their common sanction, and therefore is not troubled with doubts or misgivings. Its policy is honesty, and its counsellors are common sense and an enlightened conscience. It has no partialities. It neither plunders the rich, nor oppresses the poor. It does not reserve its smiles for the fortunate, nor its frowns for the unhappy; nor does it look with envy on success or merit, or pass by with cold indifference the helpless and abject, but its sympathies are for all, wide as the world, and liberal as the sun. It rather reveres those sacred axioms of immutable right which our fathers embodied in the declaration of independence, and in the articles prefixed to our constitution, and which form the best inheritance they have left us, than blindly follows them in any errors of their conduct wherein they forgot or violated those axioms. It admires and participates largely in those bold efforts for improve-

ment which characterise our times, but it is not blown about by every wind of doctrine. It, neither worships a venerable abuse because it is old, nor is carried away with every wild project of innovation because it is new. But it moves steadily on in its beneficent course of prudent, judicious, well-considered reform.

The fundamental article of the democratic creed is this; that the general government ought to be strictly confined within its proper sphere. In the words of Thomas Jefferson, taken from an official opinion drawn up by him while secretary of state, they "consider the foundation of the constitution as laid on this ground, that all powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states or to the people. To take a single step beyond the boundaries thus drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition."

Congress overstepped these boundaries in 1791, by the charter of the bank, in spite of the strenuous opposition of the republicans of that day, with Jefferson and Madison at their head. Hamilton, the most ardent admirer of the British constitution, then secretary of the treasury, aimed to place that department "in such an attitude as to command the whole action of the government." He believed that mankind could be governed only in two ways, by force or by corruption. Force was out of the question here, of course corruption was the only alternative. Sir Robert Walpole, the most distinguished whig minister of Great Britain, while first lord of the treasury and chancellor of the exchequer, has the credit of having originally introduced this system of government, which has been characteristic of the whig party ever since, wherever it has been in power, with means at its disposal. "For self-defence, where argument failed," says his biographer, "he had recourse to the more powerful influence of corruption; and this latter mode of conviction, which he not only practised from necessity, but *systematically vindicated and recommended*, gave a distinguishing character to his administration, and entailed reproach on his memory." It must be allowed that the bank party in the United

States are richly entitled to be considered legitimate followers of Sir Robert Walpole, whose maxim was, that "every man has his price," and so far at least they have a right to the appellation of whigs—being not only admirers of the British constitution in theory, but admirers and imitators of its practical operation, under the most celebrated of whig administrations.

Having once overstepped the boundaries of the constitution in the creation of a bank, the government by degrees went on to take possession of that boundless field of power, no longer susceptible of any definition, which was thus opened to them. The obstinate resistance of the democratic party could not prevent such legislative constructions of the constitution, as made it a very different thing from what the people thought they had submitted to. Those sweeping powers which Hamilton and his friends had sought in vain to incorporate into the constitution were extorted from it by virtue of the doctrine of implication. It was tortured into any shape that might suit their purposes. "Legislative explanations," says Jefferson, "were given to the constitution, and all the administrative laws were *shaped on the model of England*, and so passed." The alien and sedition laws, the muzzling of the press, the unrelenting proscription for opinion's sake, made that period emphatically the reign of terror.

The bone and muscle of the nation, the hope and strength of the people were roused at last, and took the power into their own hands. They perceived that it was their own quarrel which was to be fought out against the lovers of power and wealth, who were fast monopolizing both, to the imminent danger of the general freedom. They rallied therefore under the early and inflexible champions of the democracy; truth and reason were the weapons they employed; union gave them strength, and the aristocracy was prostrated before them. The immortal Jefferson was seated at the helm of state, and at once "restored the government to the republican tack."

Mr. Jefferson disallowed the binding force of British precedents, and undertook to conduct the government upon American principles. His untiring efforts through the eight years of his presidency did much towards carrying

back the administration to its original, constitutiona. simplicity, and to accommodate our institutions, which had begun to be warped after a foreign model, to our own situation, character, and circumstances. It was impossible for him to return to the primitive purity of our system, however, so strongly had the British virus impregnated the whole body. He did what could be done, but to complete the work was reserved for his more fortunate successor. The constitution had been deeply violated, but the violation could not at that time be redressed. Mr. Jefferson had given his written opinion on the fifteenth of February, 1791, that "the incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the constitution." He might have stated this as a fact, for while the bank bill was under discussion, Judge Wilson was reminded by Mr. Baldwin of the following occurrences in the grand convention. Among the powers enumerated in the draft of the constitution, was that *to erect corporations*. On debate, *it was stricken out*. Particular powers were then proposed; among others, that to establish a NATIONAL BANK. This was opposed and REJECTED. Judge Wilson admitted the correctness of this statement, which is now well known from other sources.

The late lamented Mr. Madison concluded his speech against the bank, in 1791, by remarking, that the power exercised by the bill then pending, was

"*Condemned* by the silence of the constitution.

"*Condemned* by the rule of interpretation arising out of the constitntion.

"*Condemned* by its tendency to destroy the main characteristic of the constitution.

"*Condemned* by the expositions of the friends of the constitution, whilst depending before the public.

"*Condemned* by the apparent intention of the parties which ratified the constitution.

"*Condemned* by the explanatory amendments proposed by Congress themselves to the constitution."

That such a power, loaded with such condemnation, should, notwithstanding, have been usurped and exercised, was enough to introduce a rooted and general cor-

ruption which could not be removed until the cause was eradicated. Mr. Randolph, in 1824, after speaking of the "vagrant power" to charter the bank, "seeking through the different clauses of the constitution where to fix itself," and the vagrant power of internal improvements, "after being whipt from parish to parish, at last seeking a settlement under the war-making power"—in the same speech in which he asserted that a new sect had arisen, who, in their latitudinarian constructions of the constitution, as far transcended Alexander Hamilton and his disciples, as they transcended Thomas Jefferson, James Madison, and John Taylor of Caroline—attributed all those loose interpretations of the constitution which favor consolidation, to the establishment of the banking power, as their original source. "Sir," said he, "when I consider this war-making power, and this money-making power, and suffer myself to reflect on the length to which they go, I feel ready to acknowledge that in yielding these, the states have yielded every thing. The last words of Patrick Henry on this subject, although uttered five and twenty years ago, are now ringing in my ears. I am sorry to say that all the difficulties under which we have labored, and now labor, on this subject, have grown out of a fatal admission, by one of the late Presidents of the United States, which gave a sanction to the principle, that this government had the power to charter the present colossal Bank of the United States."

The unconstitutional, anti-American, and strictly British character of such an institution was attested, as long ago as eighteen hundred and eleven, by Henry Clay, whom we may fairly offer as an unexceptionable witness against the consolidationists, the British, or whig party. "When gentlemen attempt to carry this measure on the ground of acquiescence or precedent," said Mr. Clay in his speech against the recharter of the old bank, "DO THEY FORGET THAT WE ARE NOT IN WESTMINSTER HALL?"

"To legislate upon the ground merely that our predecessors thought themselves authorized, under similar circumstances to legislate, is TO SANCTIFY ERROR AND PERPETUATE USURPATION."

"The great advantage of our system of government over all others is, that we have a written constitution defining its limits, and prescribing its authorities, and that, HOWEVER FOR A TIME, FACTION MAY CONVULSE THE NATION, and passion and party prejudice sway its functionaries, the season of reflection will recur, when calmly retracing their deeds, all aberrations from fundamental principles will be corrected. But once substitute practice for principle, the exposition of the constitution for the text of the constitution, and in vain shall we look for the instrument itself! IT WILL BE AS DIFFUSED AND INTANGIBLE AS THE PRETENDED CONSTITUTION OF ENGLAND."

"What would be our condition if we were to take the interpretations given to that sacred book, which is or ought to be the criterion of our faith, for the book itself? We should find the Holy Bible buried beneath the interpretations, glossaries and comments of councils, synods, and learned divines, which have produced swarms of intolerant and furious sects, partaking less of the mildness and meekness of their origin, than of a vindictive spirit of hostility towards each other. They ought to afford us a solemn warning to make that constitution which we have sworn to support our invariable guide. I conceive then, sir, that WE ARE NOT EMPOWERED BY THE CONSTITUTION, NOR BOUND BY ANY PRACTICE UNDER IT, TO RENEW THE CHARTER OF THIS BANK."

Mr. Clay believed the bank to be, not only British in principle, but identified with British interests.

"May not the time arrive," he asks, "when the concentration of such a vast portion of the circulating medium of the country in the hands of any corporation, will be DANGEROUS TO OUR LIBERTIES? By whom is this immense power wielded? By a body who, in derogation of the great principle of all our institutions, responsibility to the people, is amenable to a few stockholders, and they CHIEFLY FOREIGNERS. Suppose an attempt to subvert this government, would not the traitor first aim, by force or corruption, to acquire the treasure of this company? Look at it in another aspect. Seven tenths of its capital are in the hands of foreigners,

chiefly British subjects. We are possibly on the eve of a rupture with that nation. Should such an event occur, DO YOU APPREHEND THAT THE ENGLISH PREMIER WOULD EXPERIENCE ANY DIFFICULTY IN OBTAINING THE ENTIRE CONTROL OF THIS INSTITUTION?"

"Go to the other side of the Atlantic, and see what has been achieved for us there, by Englishmen, holding seven tenths of the capital of this bank. Has it released from galling and ignominious bondage one solitary American seaman, bleeding under British oppression? Did it prevent the unmanly attack upon the Chesapeake?"

"Are we quite sure that on this side of the water, it has had no effect favorable to British interests? It has often been stated, and although I do not know that it is susceptible of strict proof, I believe it to be a fact, that this bank exercised its influence in support of Jay's treaty, and may it not have contributed to blunt the public sentiment, or paralyze the efforts of this nation against British aggression?"

"The duke of Northumberland is said to be the most considerable stockholder in the Bank of the United States," &c.

Mr. Clay, of course, considered it to be his imperative duty to oppose with his whole powers the perpetuation of such an usurpation. He did not forget that he was not in Westminster Hall. "I felt myself bound," said he, "to obey the paramount duties I owe my country and its constitution; to make one effort, however feeble, to avert the passage of what appears to me a most unjustifiable law."

"The power to charter companies is not specified in the grant, and I contend, is of a nature not transferable by mere implication. It is one of the most exalted attributes of sovereignty. In the exercise of this gigantic power, we have seen an East India Company created, which has carried dismay, desolation, and death, throughout one of the largest portions of the habitable world."

"Is it to be imagined that a power so vast would have been left by the wisdom of the constitution to doubtful inference?"

"The question is, shall we stretch the instrument to embrace cases not fairly within its scope?"

The instrument having been thus perverted in 1791, it was impossible for Mr. Jefferson, and those with whom he acted, to restore it in 1801; for had they undertaken to revoke the charter of the bank, Mr. Clay has told us what would have been the consequence. "The judiciary would have been appealed to, and from the known opinions and predilections of the judges then composing it, they would have pronounced the act of incorporation, as in the nature of a contract, beyond the repealing power of any succeeding legislature."

Although the bank expired at the expiration of its charter, in 1811, yet it revived, with augmented power, in 1816; and it was left for Andrew Jackson to fight the great battle for the constitution, and decisively to vindicate its supremacy. He settled the question of the bank charter, upon American principles, by his veto message of July 10, 1832. In that immortal document, which prostrated the moneyed power, our children, and our children's children, will read the fundamental maxims of a genuine, republican policy. It contributed much towards the consummation of our independence, that statesmanship, such as that paper displays, should grapple with a death-grasp the first, the last, the greatest and the worst of those innovations, of foreign origin and uncongenial to our institutions, which had fastened themselves with pernicious influence, upon the beautiful simplicity of our government. Let us recur to the closing paragraphs.

"It is to be regretted that the rich and powerful too often bend the acts of government to their selfish purposes. Distinctions in society will always exist under every just government. Equality of talents, of education, or of wealth, cannot be produced by human institutions. In the full enjoyment of the gifts of Heaven, and the fruits of superior industry, economy, and virtue, every man is equally entitled to protection by law. But when the laws undertake to add to these natural and just advantages, artificial distinctions, to grant titles, gratuities, and exclusive privileges, to make the rich richer, and the potent more powerful, the humble members of society, the farm-

ers, mechanics, and laborers, who have neither the time nor the means of securing like favors to themselves, have a right to complain of the injustice of their government."

"There are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to equal protection, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing. In the act before me, there seems to me a wide and unnecessary departure from these just principles. Nor is our government to be maintained, or our Union to be preserved, by invasions of the rights and powers of the several states. In thus attempting to make our general government strong, we make it weak. ITS TRUE STRENGTH CONSISTS IN LEAVING INDIVIDUALS AND STATES AS MUCH AS POSSIBLE TO THEMSELVES—in making itself felt not in its power, but in its beneficence, not in its control, but in its protection, not in binding the states more closely to the centre, but leaving each to move unobstructed in its proper orbit."

"Experience should teach us wisdom. Most of the difficulties our government now encounters, and most of the dangers which impend over our Union, have sprung from an abandonment of the legitimate objects of government, by our national legislation, and the adoption of such principles as are embodied in this act. Many of our rich men have not been content with equal protection and equal benefits, but have besought us to make them richer by acts of Congress. By attempting to gratify their desires, we have in the results of our legislation, ARRAYED SECTION AGAINST SECTION, INTEREST AGAINST INTEREST, AND MAN AGAINST MAN, IN A FEARFUL COMMOTION, WHICH THREATENS TO SHAKE THE FOUNDATIONS OF OUR UNION. If we cannot at once in justice to interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies, and exclusive privileges, against any prostitution of our government, to the advancement of the few at the expense of the many, and in favor of compromise and gradual reform in our code of laws and system of political economy."

By doctrines such as these, our illustrious President, while perfecting the independence of his country from foreign influence and foreign example, naturally earned for himself the hatred of our British, or whig party, who still answer to the description given of them in their principal organ in the old world, the Edinburgh Review, "THE STRENGTH OF THE WHIGS LAY IN THE GREAT ARISTOCRACY, IN THE CORPORATIONS, AND IN THE TRADING OR MONEYED INTERESTS." But how could they expect to bend from his purpose, by exhibitions of their futile wrath, the man who discomfited their allies at New Orleans? They should have remembered the assurance given by Thomas Jefferson, "Andrew Jackson is a clear-headed, strong-minded man, and HAS MORE OF THE ROMAN IN HIM THAN ANY OTHER MAN NOW LIVING." They should have remembered that it was to him alone that Jefferson looked to finish this very work which he had begun, the restoration to the states and people, of powers not granted to the federal government by the constitution. "It is fortunate," said the patriarch of democracy,—"it is fortunate for the country, that General Jackson is likely to be fit for public life at the end of the present four years, (from 1825;) for in him is the only hope left of avoiding the dangers manifestly about to arise out of the broad construction now again given to the constitution of the United States, which effaces all limitations of power, and leaves the general government, by theory, altogether unrestrained." They should have remembered the character ascribed to him by James Monroe, "a man fit for any emergency; a statesman, cool and dispassionate; a soldier, terrible in battle, and mild in victory; a patriot whose bosom swelled with the love of country; in fine, a man whose like we shall scarce look upon again." They should have remembered that from the path of duty, he never turned aside; for this they knew, not only from his history, but from the testimony of the Massachusetts statesman, John Quincy Adams. "General Jackson justly enjoys in an eminent degree the public favor," said the late President; "and of his worth, talents, and services, no one entertains a higher

or more respectable opinion, than myself." "An officer whose services entitle him to the highest rewards, and whose whole career has been signalized by the purest intentions, and most elevated purposes." They should have remembered that so unquestionable were these virtues as to extort from an envious rival, Henry Clay, professions of admiration. "Towards that distinguished captain, who has shed so much glory on our country, whose renown constitutes so great a portion of its moral property, I never had," said the western orator, "*I never can have*, any other feelings than those of profound respect, and of the utmost kindness." They should have remembered, that, at the age of thirty, a senator in Congress, when the latitudinarian expositions of the federalists were breaking down the landmarks of the constitution, and consolidating the states into one sovereignty, Andrew Jackson was found on the side of those republican principles peculiar to America, and essential to her liberty; and that ever since that time he has been a firm, consistent, and unwavering democrat; and then they could never have doubted that the anticipations of Mr. Jefferson would be realized, that the fate of the bank was sealed by his election, and that the renovation of the constitution was to be the last herculean task of Andrew Jackson. The task was his, and he was equal to its accomplishment.

This brave and wise old man, whom king-loathed Columbia has so long delighted to honor, has reached the goal at which his patriotic labors terminate. Having filled full the measure of his country's glory, covered with the laurels of martial and of civic triumph, rich in the gratitude of millions redeemed from the scourge of monopoly, and cheered by the hope that the blessings he has won for his country may be perpetual as the love of freedom in the hearts of Americans, there is still in store for him a higher and purer enjoyment than any of these. When his long career of public duty has been finished, and he seeks the peaceful Hermitage, to dedicate to needed and wished-for repose the evening of his days, with what tranquil satisfaction may he look back upon the many, the weighty, and the lasting services, which a benignant Providence has made him the chosen instrument

to render to this Heaven-protected nation! With what delightful consciousness may he reflect upon the faithful performance of the vast obligations devolving on such a man, upon the good use which he has made of the many talents wherewith God has gifted him, upon the large part allotted to him, in the wide sphere of action in which he has moved, done—all done—and well done! Fortunate soldier, statesman, patriot, and philanthropist! You have defended our soil from invasion, restored our violated constitution, disarmed and prostrated the most dangerous foe of our liberties, brought a whole great people by your judicious policy into a palmy state of prosperity never known before, and by the successful issue of an honest and straight-forward course of plain dealing, have demonstrated to mankind that the same principles of morality and honor may govern, and ought to govern, the intercourse of nations, which regulate and dictate our conduct in our individual relations. The bright example of the republic over which you preside has penetrated the darkness that so long has brooded over the old world. It towers and glows, refulgent and beautiful, a beacon-light to the tempest-tost pilgrims of liberty, kindled late, but shining far through the pervading gloom of transatlantic tyranny, reviving dying hope even in the bosom of despair. Self-government is no longer a visionary dream. Republics no longer tend irresistibly to consolidation and despotism. A truly Roman energy has thwarted and turned back that tendency, and has reinstated the constitution in its primitive purity, with its original vigor, but without the superadded and unnatural impetus which would have drawn every thing into its vortex, or else have torn it asunder by the increasing violence of its own motions.

Through what a series of toils, and perils, and vicissitudes have you reached the crowning period of your life, when your opposers looked up to you, with the same confidence as your friends, to vindicate, as you always have vindicated, and always will vindicate, our insulted honor. The country knew that its honor was safe, for it remembered your declaration, "the honor of my country shall never be tarnished in my hands," and it had the sure

guaranty of your life and character, before that emphatic sentence was uttered. The almost unanimous election which placed you for a second term in the presidential chair, has been followed by an approbation of your administration, and in your retirement from office you receive that universal respect and affection, of which the world has seen but one illustrious instance, in the person of your earliest predecessor.

Fortunate to have run this unexampled, this wonderful career! beyond the eight hundred millions of your contemporaries most fortunate! Fortunate beyond comparison in the varied annals of history! beyond comparison save one, for between Jackson and Washington how close is the parallel.

To the heroes of the first and second war of independence, it was equally objected, that their early education had been in some degree defective. As if every man of genius did not educate himself, in maturer life, for whatever of duty devolved upon him; as if both were not well versed in practical politics, familiar with public affairs as with the air they breathed; and as if that were not a well-known truth which the elder Adams remarked in his Defence of the American Constitutions, "Knowledge is by no means necessarily connected with wisdom or virtue." But these charges had little weight with the sober sense of the American people, who formed a correct estimate of the genius of each, notwithstanding the efforts of their revilers.

That Washington was what is called a self-made man, is well known to us all, yet Washington was pronounced by Patrick Henry, on his return from Congress in 1774, to be the greatest man for information and judgment in that body. That Jackson has been emphatically the artificer of his own fortunes is equally undeniable. He has built up his enviable and surpassing fame, not by the aid of family connections, hereditary wealth, or favorable opportunities; but in despite of adverse circumstances, and inveterate opposition. The man in abuse of whom the powers of language have been daily exhausted, for some years; on whom has been lavished, without stint, the whole vocabulary of envy, wrath, malice, and all un-

charitableness, having been honored with the confidence of every President, from Washington down to his own immediate predecessor, has *three times* received far the largest number of votes for the highest office in the gift of the people; and has twice been called, by an overwhelming majority of suffrages, to fill the presidential chair, thereby evincing that he possessed "the unbounded confidence and expectation of the nation," of which the ballot box is the only sure test.

By his own unaided merit has he risen to that broad eminence. Having seen his only brother perish by the cruelty of the enemy, in the war of the revolution, and his broken-hearted mother follow her son to the grave, he went alone, friendless and pennyless, from his native state to Tennessee, where he had not a single blood relation, and when scarcely more than a boy, we find him selected to assist in framing a constitution for that state, a member of the first legislature of Tennessee; selected by Washington, endowed like himself with a wonderful sagacity in the discrimination of character, for the responsible office of district attorney; soon after delegated among the first representatives in Congress from the state of Tennessee, and as soon as he was constitutionally eligible, being only thirty years of age, he was placed in the Senate of the United States. This post he soon after resigned, but he could not be suffered to remain in retirement, and he was almost immediately appointed judge of the Supreme Court of that state.

In this early and rapid promotion of a friendless stranger, we may see the evidence of talents for *civil service*, for he was not yet a military chieftain; and it was the ability evinced in these situations, which led, no doubt, to his military appointment during this period as major-general, commanding the militia of Tennessee, and afterwards to be major-general in the United States service.

In times of extreme difficulty and imminent danger, if there be among the citizens a spirit cast in nature's noblest mould, and fully equal to the exigency, the country turns her eyes at once to him. History has recorded how Washington was summoned by the spontaneous voice of the people to conduct to an honorable close the war

of the revolution. His accomplishment of the trust justified their confidence, and crowned his fame with laurels which time cannot wither. So it was, within our memory, with our own Jackson.

The youth who had discharged with honor the important trusts enumerated, was destined to be recalled from the retirement which he loved, and which he had sought, to perform for his country services both civil and military, which were essential to her salvation, and which perhaps no other man in the nation could have performed. Governor Brooks, a staunch federalist as he was, but a soldier and a man of honor, whatever might be his impressions of the commencement of the war, surrendering party bigotry to honest national pride, frankly acknowledged, "that it terminated gloriously." Both branches of the legislature of Massachusetts—ay, FEDERAL MASSACHUSETTS—voted the thanks of the commonwealth to the successful general, a testimony no less creditable to themselves than to him.

A vast plan of invasion sketched by military genius, and begun to be executed with a boldness that did not dream of defeat, by solid columns of picked men, from the veterans of more than twenty years' warfare; officered by the flower of British chivalry; led by generals of undoubted talent, tried valor, and consummate skill; trained to conquer, and exulting in their anticipated success, on the eighth of January, eighteen hundred and fifteen, received from Andrew Jackson's arm its fatal check, its final wreck, and total overthrow. "Never were greater expectations formed, and never were anticipations more exceeded than in this event. The greatness of the victory was not incredible, from *the unbounded confidence and expectation of the nation.* But even what at first might seem exaggerated praise, was found, from the dispassionate history of the conqueror, far short of the unrivalled glory of the event. THE HERO IS IMMORTAL, AND OUR COUNTRY HAS THE BLESSING."

Our two great commanders had not only the same success in bringing the respective wars triumphantly to a close, but their success was mainly owing to the same cause: they had both learned the same wisdom in the

same school of suffering, the school of Indian warfare. It was in this that they were trained to arms, and taught that ever-watchful circumspection, prudence in council with energy in action, which they both exhibited throughout their whole career, and which occasioned "the unbounded confidence and expectation of the nation" to concentrate itself upon them. So implicit was the reliance on the Western Hero, that its influence extended even to the other side the Atlantic. When Gouldbourn, the British commissioner at Ghent, remarked, "by this time New Orleans is ours;" Henry Clay could boldly answer, for he knew the man, "No: New Orleans is safe: ANDREW JACKSON IS THERE."

The two military chieftains dismissed from the toils of war, longed eagerly for retirement. Their country still had claims upon them, claims which none but they could satisfy.

Twice we have been rescued from danger, by these two patriot heroes, both strong in the unbounded confidence of the people, both enjoying that confidence from the same causes, both using it in the same way and for the same ends, both eclipsing the lustre of their military glory, by the brighter glory of their civic fame, and both embalming the memory of their greatness in the applause, the gratitude and devotion of their contemporaries, who witnessed the salvation of their country, and of all posterity who shall inherit the legacy of the free institutions which their hands established and perpetuated.

Since its origin, with the exception of a particular interval, the action of the general government has been constantly and irresistibly enlarging itself. The ominous progress of this series of encroachments upon our liberties, becoming every day more rapid, could only be arrested by a man possessing a personal popularity second to none since Washington, and disposed to use the power which his hold on the hearts of his fellow-citizens gave him, to reform the corruptions of the government, and to restore it to its original purity.

Fortunately for us, the times which required, as before, produced that man. Respected for his talents and energy of character, and trusted for his integrity and the sound-

ness of his political views; illustrious for the crowning victory of the last war, which obliterated the memory of many defeats, and outshone our other numerous victories; having on a former occasion received a plurality of electoral votes, he was at last called by an overwhelming majority of suffrages to fill the presidential chair. Unappalled by the difficulty of the task, he proceeded steadily to his great purpose, and obstacles seemingly insurmountable gave way before him. The growth of deep-rooted abuses was stayed at once, and he exerted all his sagacity and decision to eradicate them from our system. His reforms in office reduced to practice the great truth, that place-men are not possessors of office for their own emolument, but holders of a trust to be administered for the benefit of the people; and in every department, method, order, punctuality, and economy superseded negligence, carelessness, procrastination, and prodigality.

In his intercourse with foreign nations, he built upon the foundation of national policy laid by Washington, "the immutable principles of private morality,"—proclaiming it at the outset as a fundamental rule of his conduct, "to ask nothing but what was clearly right, and to submit to nothing that was wrong." To this golden rule he unalterably adhered, and "the smiles of Heaven have abundantly approved his honest and magnanimous policy." His frank and manly advances to other governments met a ready and a cordial reception, and obtained for his country advantages which the tortuous diplomacy of former administrations either dared not attempt, or attempted in vain.

Though holding the highest place in the affections of the western states, he dared to put his veto upon the log-rolling system of corruption, which threatened to make Congress an exchange, where political brokers should be sent to barter money laid out and expended for promotion had and received. By this bold act he put a stop to the squandering of the millions on millions of treasure annually drained from the seaboard, and applied our superabundant resources to the payment of the national debt, which he was thus enabled to cancel; and those who predicted that the revenue would "fall short one half, or at

least one third," had no other ground of complaint left than the rapid accumulation of surplus funds in the treasury. Yet the taxes of the people have been diminished to the amount of more than two hundred millions of dollars.

The system of unequal taxation, of pampering the producers of a particular article, who are few, at the cost of the consumers, who are many, has been a fruitful source of misery in most of the civilized nations of modern times. After it had become the object of the abhorrence of the friends of freedom every where else, it was introduced, chiefly under the auspices of Mr. Clay, into the United States. The tariff of 1828, justly styled by Mr. Webster "a bill of abominations," carried this system to its height, and the consequent reaction at the south brought into jeopardy our Union and republican institutions; and there were those at the north who promulgated the unchristian sentiment, "our danger lies in concession," while the dogs of war, almost loosed from their leash, already seemed to snuff the blood of brethren. But the administration had taken for its motto, "The federal Union, it must be preserved:" concession was made, liberal concession, though the Catilines preferred disunion, civil war, and anarchy to concession. We have steered clear of the rocks and quicksands that beset us, and in spite of the conspiring mutineers that would have run her on a lee shore, that they might take command of the wreck and parcel out the plunder, the ship of state stands steadily on her proud course,—thanks to the firm hand that never let go the helm. May a thousand ages roll away before our country is again environed with perils imminent as she then escaped! Her escape she owes, under God, to the far-seeing wisdom and unwavering patriotism which presided over her destinies—a statesmanship which will couple his name with that of Washington in the memory of our remotest posterity.

When Andrew Jackson was first elected to the Presidency of these United States, we knew his patriotism and appreciated his talents; but who could then have anticipated the crisis which would put in requisition all his patriotism and all his talents? Eighteen long years before,

he had glory enough for one man, but now his cup is filled to overflowing.

Each of the hero Presidents received the sanction of the approbation of his fellow-citizens, after his system of administration had been distinctly developed, by a re-election for a second term of service with a high degree of unanimity. And as if to carry out and complete the parallel, each during his second term found himself harassed by the embarrassing nature of our relations with France. Both alike maintained an independent attitude towards that power, both commanded her respect; and the voice of congratulation rising from the whole continent witnessed the universal satisfaction with which America welcomed the final adjustment of the difficulties.

"Sir," said one of his ablest opponents, Edward Everett of Massachusetts, "if the President will so temper his policy as to carry this country honorably through the controversy without a war, he will draw down upon his head the blessings of men whose voices have never mingled with the incense of his flatterers; and his name in the eyes of all mankind and of an impartial posterity, will appear fairer and brighter than when he came out from the blazing lines of New Orleans, in all the freshness of his victory, and its honors!"

The great events in which he has been concerned are justly ascribed to his personal agency. The purity of his intentions, and his elevated purposes are attested by his immediate predecessor, and now that the hoarse roar of party animosity is hushed, no voice is heard to impeach them.

The state papers of the first administration were numerous, highly important and much admired; and the farewell address is among the richest of the legacies of wisdom which we inherit from the revolutionary worthies. The state papers of the last and present administration will suffer nothing by the comparison. The Maysville Road Bill Veto—the Bank Veto—the Proclamation—the views of the President read to the cabinet on the 18th of September, 1833—the Protest—the several messages, especially those on the Bank and the French affairs—the farewell Address and Message at the special session, have

been a New Orleans battery of heavy ordnance—the close columns of the British party have never been able to make head against them.

America might be supposed a partial judge of the fame of her favorites—but we find them respected abroad no less highly than at home. The champion of the rights of juries at the English bar, the great master of forensic eloquence, confessed that he stood in awe of Washington. The prime minister of the most liberal administration Great Britain has ever yet seen, pronounced Jackson to be the first of American statesmen. Already a transatlantic reputation, which no one living, save himself, can claim, associates his name with that of Washington, and anticipates the sure award of coming generations.

These illustrious pioneers of genuine independence have, by their whole career of arduous service well rewarded, demonstrated the proposition, that the American people will sustain the statesman who maintains American principles; and that nothing can be more grateful to their feelings, than whatever is perfectly suited to our own institutions, character, and situation; free, equal, liberal, and manly.

Our ship of state navigates no pacific ocean; she rides the stormy billows of liberty. Give her sea room enough, and she rides secure, and defies the fury of embattled winds. Hidden perils only can endanger her safety. Treacherous insects have been at work in the unseen depths; slowly and long have the coral reefs been rising; if treason takes the helm a moment, she strikes, and all hope is lost. But the ever-watchful eye of our experienced pilot, wise in counsel, resolute in action, sagacious amid difficulties, and unshaken by the terrors of the crisis, has already descried the course through which her passage opens; she leaves destruction behind, and goes bounding on her glorious way, a home of life, and joy, and confidence, freighted with the welfare of a nation, and cheered by the admiration of a world.

The great dividing line between our parties originally was, generally has been, and for the most part will be, between the friends of arbitrary power on the one hand, and the friends of constitutional freedom on the other—

between those who wish, by wholesome limitations originally imposed, and by a strict construction of them, to confine governments to the few objects which have been specified, and to leave the people otherwise individually free to govern themselves, and those who by a lavish grant of power originally, and a broad latitude of interpretation, and a free use of implication afterwards, would enable the government to control and regulate every action, and would make it, in fine, a mere engine for the aggrandizement of the few at the expense of the many, like every other government upon the face of the globe. The first constitute the democratic or constitutional party, the latter are the aristocratic or consolidationist party, who seem to be governed by British rather than American principles.

The aristocratic party seem never to have abandoned the doctrine that the people could not safely be trusted with political power. They consider the popular will too sandy a foundation to uphold the structure of government. For this reason, after failing in the attempt to establish a government whose leading features should be a President to serve during good behavior—a Senate to serve during good behavior, *and to have the sole power of declaring war*—the Governor of each state to be appointed by the federal head, and to have a negative on the laws of the state—they set about building a consolidated government under the forms of a democratic constitution. In many respects the attempt has been alarmingly successful. One who observes the little consideration which the states now command, and how completely the central government absorbs and draws into its vortex every interest and all ambition, cannot but feel some misgivings lest the states may have committed the same fatal error in consenting to the federal government, which the forest committed in giving the axe wood enough to furnish a handle. Such misgivings would have been but too well founded, had not the Roman energy of Andrew Jackson arrested, before it was too late, the progress of consolidation, and redressed the wrongs of the violated constitution.

There was but one resource for the preservation of the

constitution, and that was an energetic, democratic chief magistrate. Providence, which in great perils, raises up great deliverers, has given us the man. He fulfilled his destiny, and routed the consolidationists as effectually as he did their British friends at New Orleans.

The whig champion of the constitution, Daniel Webster, explained to the world his notions of the nature of government, in his speech in the Massachusetts convention *against basing the senate on population, and in favor of the basis of wealth.* "It would seem," said that gentleman, "to be the part of political wisdom TO FOUND GOVERNMENT ON PROPERTY"—"property being the true basis and measure of power." He maintains that a government founded on property, is legitimately founded, and that a government founded on the disregard of property, IS FOUNDED IN INJUSTICE. These purely British notions come quite up to Mr. Jefferson's idea of the "splendid government of an aristocracy." Such a government would be very certain to *take care of the rich,* and let the rich take care of the poor, in whatever way might suit their own interest. No wonder that a statesman holding such principles should desire to build up our house of lords into an irresponsible oligarchy, capable of controlling every other branch of the government. No wonder that he should look with peculiar favor upon every British feature in our institutions, and that he should aim especially to make A NATIONAL BANK the main pillar of that government, which he thinks it "the part of political wisdom TO FOUND ON PROPERTY."

The democratic party, on the other hand, holds fast those purely American principles which have already been described. Again and again have they been put forward as our distinguishing doctrines, and it is upon the faithfulness with which they have supported and applied these doctrines, that those who stand foremost in our ranks must rest their claims to public confidence. As no man has practically illustrated this creed more consistently or with happier effect than our late chief magistrate, so no man has given the theory a more beautiful expression. "The ambition which leads me on"—these were the words of that venerated patriot, uttered upon a memorable occasion,

with that noble frankness which only conscious rectitude could inspire—"the ambition which leads me on is an anxious desire and a fixed determination, to return to the people, unimpaired, the sacred trust they have committed to my charge—to heal the wounds of the constitution, and preserve it from further violation; to persuade my countrymen, so far as I may, that it is not in a splendid government, supported by powerful monopolies and aristocratic establishments, that they will find happiness or their liberties protection, but in *a plain system, void of pomp,—protecting all, and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt save in the freshness and beauty they contribute to produce.* If the Almighty Being, who has hitherto sustained and protected me, will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate with pleasure the place to be assigned me in the history of my country, and die contented with the belief that I have contributed, in some small degree, to increase the value and prolong the duration of American liberty."

To increase the value and prolong the duration of American liberty, there are three essential requisites—a strict observance of its sacred charter the constitution, the supremacy of the laws under the constitution, and the preservation of the federal Union. If the constitution should be violated by the adoption of the whig policy, of plundering the many to pamper the few, consolidation would either bring on the dead calm of despotism, or provoke a tempest of resistance, ending in revolution. If the laws may with impunity be set at defiance, either by a corporation exalting itself above law, and gathering its strength to break down our constituted authorities; or by a band of factious demagogues, disappointed, revengeful, and disorganizing; or by seditious mobs instigated to violence and outrage by the incendiary harangues of the Catilines who preach panic, create distress, and cry to arms, because they would willingly welcome war, pestilence, and famine, rather than endure the prevalence of democracy—in either case, anarchy, misrule and civil discord would stalk through the land. If bold bad men, struggling to pull down the virtue they cannot

rise to emulate, should burst asunder the bands of our national Union, the days of our independence would soon be numbered, and liberty could not hope to survive. These three fundamental truths, the President, in his usual comprehensive and emphatic language, has condensed into an aphorism—"THE CONSTITUTION AND THE LAWS ARE SUPREME, AND THE UNION INDISSOLUBLE."

This grand and simple annunciation of democratic doctrine would have been a mere form of words without meaning, if their author had not redressed the first and most fearful infraction of the constitution. The duty of the administration, as to this point, was fully expressed in the sentiment of Mr. Van Buren—"Unqualified and uncompromising opposition to the Bank of the United States. The interest and the honor of the people demand it."

No one that knew the bold heart and the firm hand that guided the helm of state could doubt for a moment that the interest and the honor of the people were safe. The opinion of the early friend of Washington, the adopted child of America, the apostle of universal liberty, the lamented of both worlds, THE GREAT AND GOOD LA FAYETTE, was also the opinion of the democrats of America, as 219 electoral votes bestowed upon the author of the Bank Veto, against the 49 votes of the bank or whig party, may amply testify. The illustrious worthy, La Fayette, shortly before he closed his sublunary pilgrimage, and went joyfully to receive the reward of a long life of suffering, toil and virtue, expressed himself in words which ought to be forever remembered.

"General Jackson is the very man fitted for the present crisis"—said that keen, judicious and experienced observer of human character. "His stern and uncompromising republicanism, and high sense of honor, will prove the best security for our republican institutions—(for he calls every thing American his own.) For a long time I saw with pain the advances of an aristocratic moneyed institution, which threatened to cast a poisonous mildew over our precious liberties. They would have rendered our fair country a passive instrument in their hands, in which case freedom would have vanished from among us.

General Jackson possesses the honesty of a Regulus, the patriotism of a Washington, and the firmness of a Timoleon—in fact, I am unacquainted with any character in ancient or modern history, which combines so much excellence with so few of the errors of humanity."

The champions of the paper power had strong hopes at this time, that the bank leviathan in his fury would rend and tear the constituted authority of the nation, which had put a hook in his nose, and restrained the superfluity of his naughtiness. But in this, as in all other cases, whenever the aristocratic party have congratulated themselves that democracy had taken the fatal step, had plunged itself into an abyss from which it could never rise, behold it standing on firmer ground than ever. When they look for its disastrous eclipse, it shines out brighter than ever. When they look for its final downfall, behold it towering more secure and lofty, in the esteem and affection of a whole people, smiling at the impotent malice of the billows of wrath that lash the foot of the adamantine rock of truth whereon it stands. In 1832, loud and long was the anthem of joy from the whole host of mammon. The recoil of the veto had prostrated old Hickory! The veto strengthened him. In 1833, his popularity was unbounded. We saw the aristocracy of the city of Boston welcome the old hero with the homage of the heart—for it could not have been all mere lip service. We heard them send up the universal shout that almost rent the blue concave. We saw them thronging his antichamber—besieging his bed-chamber—scarcely leaving uninvaded his refuge on the couch of sickness; so eager were they to pour into his ear the testimony of their respect, their gratitude, and their love. Our ancient university of Harvard bestowed her highest honors upon her illustrious visitor, thereby honoring herself more than she honored him. And at Bunker Hill, the scene of the first great battle in the long struggle with British power which he himself had closed so gloriously at New Orleans, one of our most eloquent orators exhausted the language of panegyric to do justice to his virtues and his valor. King-loathed Columbia's brave and wise old man cannot have been, at that time, the object of the hatred of any citizen,

We have no bold, bad men, no senators, like Catiline, the Roman senator, when he aspired to the consulship, striving to pull down the virtue they cannot rise to emulate. Thousands witnessed the affection, it might almost be said the adoration, which the whigs of Boston manifested in 1833, for the defender and restorer of the constitution, and since that time he has done much to strengthen their devotion, having fairly subdued that deadly enemy, the United States Bank monopoly.

Yet, in 1834, the dupes of federal delusion were again on tiptoe with glad expectation. Nicholas Biddle and the hero were in their death grapple. Nicholas will throttle him, was the cry of the Biddleites. But it proved to be the dying convulsion of the monster. That struggle and its issue have been grossly misrepresented, but history and posterity will set the matter right, all over the world.

History and posterity will say that Andrew Jackson, by loosening the hold which the bank had on the government and on the people, was enabled to bid defiance to its arts and power, to defeat its onset to reconquer us and subject us anew to its detested sway; and that he thereby restored to its original pristine purity the violated constitution of the United States.

Do we not remember the endless catalogue of whig victories in 1834, the tens of thousands of new-made whig converts in almost every state in the Union, that for a few short months delighted whig credulity? And do we not remember that in 1835 the administration was stronger than ever? So mote it be! So will it be now. The dark clouds that sheltered the dim-eyed owls and bats of whig delusion are fast dissipating before the refulgence of truth, and in brief space the glorious sun of democracy will burst upon their gaze in dazzling splendor, clear and unspotted as the sun of Austerlitz.

A bold, just, and consistent course is the only safe policy for an individual, or for a government, whatever hoarse clamors of prejudice or howling tempests of faction may rage around you. It is as true that there is no safety in cowardice, as that there is no peace for the

wicked. The administration knows this truth, and it will push onward, and right on.

There is practically but one great question now before the people. It is whether they will go back to the system of consolidation, and in a few years time make their government equivalent to a monarchy, with a house of lords, and an overruling money power. All who oppose the independent treasury desire to re-establish the United States Bank, for there is no other alternative. With a bank would come also the bank policy, an assumption of state debts to the amount of two hundred millions, internal improvements like the projected road from Buffalo to New Orleans, and the projects to cost a hundred millions, which were prostrated by the Maysville Veto. To support this monstrous system, heavy taxes, like the bill of abominations of 1828, must again be levied on us, the millstone again be hung upon the neck of commerce, and the two hundred millions of duties from which we have been relieved since General Jackson's election would again be imposed, ay, and augmented. This combination of measures would double or treble the revenue, the expenses, and the patronage of the general government, and in the host of additional office holders, and contractors, and the perpetual millions lavished in the log-rolling system would be found an inexhaustible source of influence and fund of corruption.

Those who aim to introduce a strong government, desire to make use of its powers, as the aristocracy of all old nations have done, to direct to their own reservoirs those innumerable, minute streams of wealth, which, under the equalizing influence of freedom, diffuse a general fertility over the whole surface of society. Though these ulterior designs may never be realized, and in their full extent never can be without a revolution more terrible than any yet recorded in history, still it will be the part of wisdom to understand precisely the end they have in view. The perilous progress towards consolidation was indeed appalling, and the firmest friends of their country had begun to apprehend that it was irresistible, when it encountered an obstacle which neither force nor craft

could remove, nor seduction, intrigue, or intimidation overcome. The old Roman vigor, incorruptible integrity, and austere probity of Andrew Jackson, sternly rejecting the immense accession of executive influence and patronage which an infatuated opposition never ceased for a moment to urge upon him, turned back the current of federal encroachment, and restored, before it was too late, the violated constitution to its original purity. During his career as chief magistrate, the world beheld for the first time the astonishing spectacle, which, unless human nature be wholly regenerated it will seldom witness again, of an administration, which voluntarily, and in defiance of the bitterest opposition, in defiance of reproaches, threats, and maledictions, diminished its own revenue; lightened, by refusing income offered and almost forced into its hands, the burdens of the people; cut off and cast from it the strongest means of influence; lessened the number of its powers; narrowed the limits of its action; and not only restrained itself from corruption and abuses, to which its enemies invited it, but removed to the utmost of its capacity, the possibility of abuses and corruption hereafter. The overthrow and ruin of that administration were confidently predicted if it should dare persist to follow the self-denying path of duty. Truly formidable was the combination of learning, and talent, and wealth, and weight of authority enlisted against it; fearful was the conflict, and doubtful for a while seemed the issue. But the hero who filled the post of danger had adopted the maxim of Metellus, whom, in unbending fortitude and umblemished virtue, he most resembled. "If it were always safe to do right, who would ever do wrong? It is the part of good men to do that which is right, even when least for their safety." He was ready therefore to take the responsibility of fulfilling the oath he had sworn, of maintaining the constitution of his country, and of seeing that her laws should be faithfully executed. Andrew Jackson had made an experiment some years before at New Orleans. He had tried, and knew the effect of a well-directed energy in scattering the solid columns of British veterans, officered by choice scions of British nobility. He was not there-

fore to be driven from his purpose by the most determined onset of whatever array of British principles, British precedents, and British interests, the whole British party in these United States could marshal against him. He proceeded steadily in the work of reform. God speed the right, was the fervent prayer of every true-hearted patriot, every honest statesman, every wise philanthropist in the world. That prayer was accepted. The enemies of our liberty rushed upon him in mad fury, to hurl him from his station. Like the unclouded summit of a lofty mountain, against whose base the storms spend their vain rage, he stood unshaken, above the whirlwind of passions that threatened the overthrow of our social institutions. Where now are his assailants? Shall I say, a Waterloo defeat awaited them? Our language furnishes an expression somewhat more emphatical. A New Orleans defeat annihilated them. The British bank is bankrupt. The British system of restriction is abandoned. Unconstitutional taxation is disavowed. New England cannot be assessed to tunnel the Alleghanies. The traitors who deserted the cause of their country in the hour of her peril, have sunk into congenial oblivion. The tenant of the throne of Napoleon has redressed the wrongs of his predecessor. The last remnant of the system of consolidation has disappeared, and neither from discontent and division at home, nor through aggression from abroad, can any opportunity now be anticipated to restore its hated sway. The consolidationists are completely consolidated.

Since their last catastrophe in the election of Mr. Van Buren there has been no hope for them. They indeed did make a desperate plunge to recover the public favor when they brought about the suspension of specie payments in 1837, and falsely attributed that calamity to the administration.

The suspension of specie payments having been naturally brought about by the paper-money party, by their unprecedented overbanking and consequent speculation, having been precipitated by their favorite measure, the distribution, having been recommended by them long before it happened, justified by them ever since, and profit-

able to them while it lasts, is the appropriate consummation of the whig policy upon the subject of the currency. By a currency of irredeemable paper the many are made to pay tribute to the few. The aristocracy, who in all countries desire to enrich themselves out of the taxes of the people, make it an engine of taxation.

The people suffer by the depreciation of the bills in their hands. The speculator in beef, pork, flour, or cotton, buys up these bills at a large discount, and pays them into the bank, in discharge of his obligations, at par.

Though the Great Regulator of the currency, the United States Bank, failed with the rest, and is now more hopelessly insolvent than almost any other engine of fraud in the country, still a large class of mercantile men lamented its downfall, and preposterously prayed for its impossible restoration to soundness and health. The merchants doing a moderate business would be crushed and ground into the dust beneath the wheels of this ponderous engine, as so many thousands of their predecessors have been, yet many of them are still ready to cast themselves before the car of Juggernaut, at the bidding of their political priesthood, and perish for the glory of the money king. They are as much incensed against the government which has delivered them from their oppressor, as the Hindoos are with the government of India for its efforts to suppress the Thugs.

This class of incurables, though their numbers daily diminish, and their wailing cry grows fainter and fainter, have wickedly, as well as stupidly, charged upon the democratic party the consequences of the paper-money policy. The absurdity is too gross to influence an intelligent people, and indeed the hard-cider party have long since ceased to make any appeal to intelligence.

Did the administration advise the rechartering of the United States Bank by Pennsylvania? Did the administration advise that the number of banks, the amount of bank capital, of loans, and of paper circulation should be more than doubled, nay, almost trebled, within six years? Did the administration urge the banks to issue more notes than they could redeem; the merchants to import more than they could pay for; and to supply the retailers with

more goods than they could dispose of? Did it instigate thousands of young men to abandon the cultivation of the soil and throng to the great cities, to embark in the lottery of trade? Did it run up the prices of articles of commerce? Did it encourage speculators to invest immense amounts in fancy stocks, in products, house lots, and public lands? Did it recommend the distribution bill, to withdraw, in four payments, near forty millions from the channels of commerce? Did it advise the borrowing of two hundred millions abroad? Did it advise the United States Bank to buy up the cotton crop of the country on speculation, to involve itself with monopolizers of flour, beef, and pork, and with many millions of most worthless fancy stocks, and then to stop payment, and thereby derange the whole currency and exchanges of the nation? These are the causes of our distress, and against these it has never failed to remonstrate; it has not ceased to warn us of our dangers. The bank party have driven us toward the precipice, over which they would now compel us to plunge. The administration has labored faithfully to avert impending evils. The bank veto was intended to put an end to that great disturbing power over the currency, which has made its successive expansions and contractions so sudden and terrible. The removal of the deposits paralized the destructive energy with which the bank was then waging war on credit and industry, and prepared the community for the redemption of its notes and the collection of its debts by that institution, if it had been disposed to acquiesce in the decision of the nation. The specie circular checked the frauds, speculations, and monopolies in the public lands; checked the excessive bank credits in the west; checked also the overbanking and overtrading of the Atlantic cities from which it retained specie; secured the safety of the treasury receipts; strengthened the western banks, and thereby lessened the losses of the merchants on the seaboard by their inland debtors; and by retarding the exportation of gold and silver to England, made the resumption of specie payments possible.

By the passage of the sub-treasury bill the banks know that prices are to be more steady and business more re-

gular, and the news of the passage ought to have been the signal for a general resumption of specie payments, south and west, as in fact it was in Charleston, South Carolina. The only obstacle in the way of a general resumption at this moment is the deplorable condition of the United States Bank, which is perishing in its own rottenness. Immediately upon the passage of the independent treasury bill, the prices of such agricultural products as had been most unreasonably depressed, experienced an improvement, there was a revival of business, and a restoration of confidence, even according to the confession of honest whigs themselves.

The last and present administrations, then, are not responsible for any depression of business. They did nothing to cause it. They have done every thing to remove it.

The United States Bank, by its expansions and contractions caused all the other banks to expand and contract in obedience to its will, while it was itself controlled by the Bank of England. These expansions and contractions caused prices to rise and fall, so that our business was under the control of the Bank of England. Under this influence, when prices were high, we imported in three years more than a hundred millions of dollars worth of goods more than we could then pay for. We imported when cotton was sixteen cents a pound, and we are now paying for these goods in cotton at less than eight cents a pound. This is the blessing of bank action on prices, by causing the currency to fluctuate under British control. Were we INDEPENDENT while thus controlled?

When the venerable Franklin, in the last period of his life, heard the war of 1776 spoken of as the war of independence, he is said to have replied, "Say rather, the war of the Revolution: THAT OF INDEPENDENCE IS YET TO COME." Ay, fellow-citizens, it was to come! It has come! We have conquered!

For the last ten years the power of the bank has been broken. The commerce, agriculture, and manufactures of the country have flourished—our business has doubled.

In 1830, imports 79 millions—exports 73 millions.
1839, " 162 " " 121 "

The prosperity of agriculture and manufactures has been even more astonishing than that of commerce.

Under the full power of the bank, these great interests were decaying. From 1825 to 1830, the commerce of the country diminished, the prices of agricultural products fell, factories without number failed. Whoever remembers the disasters of that gloomy period of the bank ascendency, rejoices in the relief and comparative ease of the last ten years. Never has the good of the whole people been more successfully provided for; and yet never was man more outraged and vilified, than the two illustrious statesmen who during that period have successively presided over the destinies of the nation.

The sole purpose of government is the good of the whole people, and the gratitude and love of the people will reward him whom the enmity of the few would in vain strive to load with dishonor. He has fought the good fight faithfully, and let the disappointed and the envious detractor say what they may, sixteen millions of freemen have already awarded to him the meed of an undying fame.

Fellow-citizens, the conflict which we have hitherto carried on victoriously under his auspices, is still to be continued. Perpetual vigilance is the price of liberty. Let no neglect of ours forfeit the rich inheritance. In union there is strength. Let us march shoulder to shoulder to the decisive onset. Let us present to the foes of the democratic cause, a concentrated, and therefore a formidable front.

In our candidate for the first office in the gift of the people, we can have nothing more to desire. The distinguished son of the empire state is the adopted favorite of the whole Union. The arrows of his assailants have fallen harmless at his feet, and our clear-sighted yeomanry do justice to the leading traits of his well-balanced character.

To form a perfect statesman, the knowledge of history, the wisdom of experience and the inspiration of genius combine to illuminate his understanding; while courage to dare, and fortitude to suffer in the cause of humanity, must arm him with an impenetrable panoply for that war-

fare against the common enemies of our race, to which a generous philanthropy will incessantly impel him. In which of these requisites does not Martin Van Buren excel?

"Who," said Mr. Wilde, of Georgia, no partial witness—"who was a more dexterous debater? better versed in the politics of our country; or deeper read in the HISTORY of others; above all, who was more thoroughly imbued with the idiom of the English language, and its beauty and delicacy, or more capable of breathing thoughts of flame in words of magic and tones of silver?"

From the momentous crisis of the war to this day, holding the most important trusts, and filling the most responsible stations in state and nation, in a continued though varied career of active and arduous duty, who can have reaped a richer harvest of EXPERIENCE?

At the outset of his public life, he stepped at once into the front rank of the New York bar, where the Spencers, Kents, and Livingstons, and Hamilton had established the standard of talent. At the time which tried men's souls, the darkest period of the war, on his first entrance to the senate of that state, he, a youth, gave the efficient impulse to that body. Mounting to higher theatres of fame, in every part he is called to act, he distances all rivalship. When his enemies look for his eclipse and downfall, they behold him shining brighter and soaring higher, with the brilliancy of transcendent intellect, and the buoyancy of paramount merit. His intrigues the service of the people, his arts the faithful performance of duty, he has run rapidly through a series of promotion, shedding lustre on every post he occupies. Who can exhibit proofs more unequivocal of GENIUS of the highest order?

In the legislature, the senate, the cabinet, through the war, the great northern defection, and the struggle for the renewed ascendency of democratic principles, through the death grapple with the moneyed power, the COURAGE he has manifested cannot be called in question; neither can the fortitude with which he smiles upon the systematic detraction, virulent beyond example, except in the history of Jefferson and Jackson, by which he has been

tried as by fire, but under which no man ever saw him quail or waver.

"Uncompromising hostility to the United States Bank, the interest and the honor of the people demand it," has been the maxim of his faith and practice. We have, with his express pledge, the guaranty of his uniform course, from his first entrance upon the political arena, that he will follow in the footsteps of Andrew Jackson. He has followed; and like him has triumphed.

In politics, men are put forward to represent principles, and to effect the will of the masses. Let us again elevate Martin Van Buren to the chair of state, that we may not only maintain the ground we have gained already, but during the second term of his presidency, soon about to open so auspiciously, eradicate from our system and institutions, every vestige of foreign policy, introduced by servile imitation, and discordantly combined with the original home growth of freedom, only to mar its simplicity and unity.

That he is the man predestined by Providence to accomplish this glorious work, we have abundant evidence in that he has thus far been prospered in this his high mission. Commenced in a darker day, he has gone on with the arduous task of giving permanent stability to American independence and liberty, and already the sunshine of victory gladdens and cheers his honest efforts. Three years ago, the bank desperadoes hoped by distress and panic to bend to their will the American people and the government of their choice. The onset was terrible, but our leader stood firm. A bold man might have hesitated, a timid man would have quailed; but he, unappalled by the real perils of the crisis, called together the Congress of the extra session, collected all the talent opposed to him, and met them on their own chosen battle ground. There was no UNCOMMITTAL in that immortal message which scattered confusion through their ranks. He said to the bank aristocracy, with democratic frankness, This is my plan. They had no plan to offer, but wasted their fury in impotent attacks upon his, like vipers gnawing at a file. They could delay, but they could not

defeat that wise and virtuous measure which seals our independence. We have no longer any thing to fear from the bank, which Mr. Jefferson called an institution of the "MOST DEADLY HOSTILITY EXISTING TO A REPUBLICAN FORM OF GOVERNMENT." From a mighty sovereignty ambitious to dictate terms to the nation, it has sunk to its place upon the list of fancy stocks.

In the pending contest, our country expects every man to do his duty. That grand and original measure of a bold and wise policy, on which the whole issue is staked must and will be sustained. Liberty, righteousness and truth must triumph. Then may we trust in the assurance that Independence is ours forever.

THE CURRENCY.

Our monopoly, paper money, banking system in its best estate, when free from derangement, and enjoying undoubted credit, imposes heavy taxes on the people. *The expenses* of carrying on the whole complicated machinery, fall ultimately upon the consumer of the goods which are bought and sold by the borrowers from the banks. As the consumer in the country has to pay interest on the capital invested in these goods for a much longer time than the consumer in the city, as the poor man, buying in smaller quantities, pays a much larger advance on the first cost, and consequently on the interest which makes a part of the cost, than the rich man who buys in larger quantities, this tax, as well as all other taxes levied on consumption, falls more nearly an equal imposition of so much a head on the whole population, than in any other proportion. The rent of land and buildings, loss and repairs upon them, cost of bills, salaries of the various officers, presidents, cashiers, tellers, clerks, and messengers, fees of notaries on protested notes, fees of attorneys on suits brought, all these are paid, with inte-

tant on them all, by the consumer. These charges in the aggregate must considerably exceed one per cent. on the capital employed. The capital stock of the banks in Massachusetts is about forty millions. For the expenses of these banks, then, we the people pay of our earnings more than four hundred thousand dollars per annum.

The bank tax to the state treasury is drawn from the same source, and robs us every year of four hundred thousand dollars more. I shall be answered that it defrays the expenses of the state; what then? Is it just to defray those expenses by a capitation tax? Ought they not to be borne in the ratio of property? But the bank tax, just or unjust, even if it cost the people nothing, has been a curse to this commonwealth rather than a blessing. It has introduced corruption into the state government, augmenting its expenses more than the whole amount received from the banks. In eighteen hundred twenty-four, a committee of both houses of our legislature reported that the expenses of the state were enormously great and ought to be diminished. Ever since that time they have been rapidly increasing. In eighteen hundred and twenty-five they amounted to less than two hundred thousand dollars, last year they exceeded six hundred thousand! This we owe to the bank tax, and to that tax we owe the present unparalleled extension of our banking system: the one per cent. to be annually paid to the state operating as a bribe whenever new charters were asked for.

The bank receives interest not only on its capital, but also on that portion of the debts it owes which is represented by *its circulation.* The people are thus compelled to pay interest first on what they owe the banks, and second on what the banks owe them. For the use of their capital, it is right that they should receive a fair compensation, but the power of putting their own debts in circulation, and receiving interest on them as long as they remain unpaid, is an exclusive privilege of the banks, and a tax is thereby levied from the people. The whole circulation of the banks by the state returns last September was about eleven millions. The interest accruing on this on banking principles exceeds seven hundred thousand dollars.

The monopoly which the banks enjoy raises the rate of interest to those who wish to effect loans without recourse to banks, and enables the favorites of those institutions to take advantage of the state of the markets, which others, not so favored, cannot do. This monopoly is undoubtedly worth to the bankers and their favorites much more than double the profit they derive from their circulation. Of late years it is the principal object in establishing new banks. It taxes the people more than fourteen hundred thousand dollars a year.

By the combined operation of the banking system and the usury laws, it has become very difficult for any one not belonging to the party of the bankers to obtain money on loan except through the intervention of *brokers*. The profits paid to brokers for changing notes for money, discount on uncurrent notes, commission for negotiating loans, and the higher rate of interest on money borrowed by them at or below the legal rate, and let again for extra interest, all these constitute another tax which the banking system levies on us. Whoever considers for how small a part of the money let in this state the actual owner receives more than legal interest, while two or even three per cent. a month have been paid on large sums for a great part of last year, will not be disposed to doubt, especially if he recollects that the revulsion in the money market returns regularly every three or four years, that this tax far exceeds three times the profit of the circulation. It is therefore more than two millions and one hundred thousand dollars.

Bills lost or accidentally destroyed are also a tax on the public. When a government calls in the metallic currency to be recoined and reissued, the depreciation by friction and clipping is a loss to the government. But when a bank calls in its notes, the whole amount of bills lost, or destroyed by wear and tear, or accident, is so much clear gain to the bank; and not only so, but on double the amount of every bill lost the bank receives compound interest from the day of its loss down to the close of its own existence. Thus, for all its bills lost in the year eighteen hundred and seventeen, the United States Bank has received eight times their value. How

much the banks abstract from the public in this way cannot be known until the expiration of their charters. The sum is no doubt large; but in the absence of fixed data, I will make no attempt to estimate it.

So also *counterfeit notes* are a tax on the people, though not to the profit of the banks, yet a part of the price we have to pay for the banking system, a loss falling almost exclusively on persons of small property. They are not as a class so good judges of bills, and counterfeiting is mostly confined to small bills. There are about two hundred known *editions* of counterfeit bills of the United States Bank, and about nine hundred editions of those of the local banks. How many of each edition ever passed into circulation we have no means of determining, but evidently many millions of dollars of it have been manufactured, and the loss which falls on honest and unsuspecting poverty must be considerable. It is useless to attempt to estimate it.

The loss by the *failures of banks*, which always have, and always will occasionally happen, is also a tax on the community. By Mr. Gallatin's tables, 330 banks were in operation in 1830, and 165 had failed before that date! We boast of the superior prudence with which our banks are managed, and of the safeguards which the laws have established for the protection of the public. The greater security of our New England banking system seems to be as well settled as that there are fewer steamboats blown up on Long Island Sound than on the Mississippi river. Yet the failure of the Farmer's Exchange, Berkshire, Coos, Hillsborough, Keene, Hallowell and Augusta, Wiscasset, Castine, Belchertown, Sutton, Nahant, and Chelsea banks, all in New England, and not to mention more, are quite enough to demonstrate that such catastrophes are by no means impossible. It would be difficult to estimate the total loss they have occasioned.

These are the burdens of legitimate paper money banking, inseparable from the system; and before proceeding to enumerate the evils of overbanking, let us add up these items which no one can deny must always exist wherever banks, having the exclusive power to issue paper money, are to be found. Let us look at the aggregate cost of

these institutions, and judge whether they are worth it for any good we receive from them. The account, so far, is stated thus: expense tax, 400,000; state tax, 400,000; circulation tax, 700,000; monopoly tax, 1,400,000; brokerage tax, 2,100,000; in all, $5,000,000—besides lost bills, forged bills, and bank failures, not estimated, for which a round sum might be justly added.

These FIVE MILLIONS OF DOLLARS are mostly the product of hard labor, and by the legerdemain of paper money they are transferred to the pockets of the note makers. Thus a tax is levied on the inhabitants of this commonwealth of about seven dollars a head, or from thirty-five to forty dollars for each family. What feudal nobility ever gathered a larger tribute from its vassals?

There are one hundred and eighty thousand able bodied men in this state, the average wages of whose labor cannot exceed two hundred and fifty dollars a year. That rate would give a total of forty-five millions: so that the manufacturers of paper money and their associates convert to their own use one ninth part of the wages of labor. This they do without rendering any equivalent, for this whole tax is exclusive of a fair interest on the actual capital loaned.

A large majority of those who earn the wages of labor are unable to add to them the wages of skill, and very few receive the still higher wages of machinery, yet all bear the burden alike. Though persevering industry and rigid economy will enable a man living solely by the labor of his hands to accumulate something, even under such disadvantages, yet slow and hard must be the process, and it is evident that many can never extricate themselves from a hopeless poverty who might rise, were this weight removed; and that many who now attain a competence only when old age is unfitting them to enjoy it, might have found themselves in easy circumstances of pecuniary independence, in early manhood, if the paper money tax had not borne them down.

We are yet upon the threshold of our investigation. We have examined the effects of our system of banking in its ordinary and natural operation merely. We have not yet touched upon the effects *of overbanking*. We

have, it is true, seen enough to give us some faint conception of the injury a paper currency inflicts on the community, but its most odious and alarming characteristics remain to be exposed. We will develop to the view its calamities, its convulsions, its agrarianism, its paralyzing, desolating, withering influence. Before we have concluded our inquiries we shall be satisfied that there is no other evil in the land, except intemperance, that can be compared for magnitude with paper money; there is no other cause so fruitful of misery, pauperism and crime.

The first effect of overbanking is wild *speculations*, the weight of which falls as a tax on the consumers of all foreign and domestic products. Banks, by issuing paper, cheapen the currency, and of course raise prices: rising prices tempt more purchasers into the market, and the competition of purchasers runs up the prices still higher. The banks furnish funds to the speculators, and enable them to hold on their purchases, in order to profit by the rise. The enhanced prices take so much out of the pocket of the consumer, for which he receives no equivalent.

In 1830, the bank capital of the United States was ONE HUNDRED AND FORTY-FIVE MILLIONS: in 1836, it had risen to THREE HUNDRED AND SEVENTY-EIGHT MILLIONS: it is now probably about TREBLE its amount seven years ago. The paper circulation in 1830 was SIXTY-ONE MILLIONS: in 1836, it was ONE HUNDRED AND FORTY MILLIONS, the highest point it reached was probably about ONE HUNDRED AND EIGHTY-SIX MILLIONS. In 1830, the loans and discounts of the banks amounted to about TWO HUNDRED MILLIONS: in 1836, they were FOUR HUNDRED AND FIFTY-SEVEN MILLIONS: they have since exceeded FIVE HUNDRED AND NINETY MILLIONS. The bank capital, circulation, and discounts, having more than doubled, and indeed *nearly trebled*, in less than seven years time, the immense and unparalleled speculations we have witnessed, have been the necessary result. Sales of public lands rose from less than two and a half millions in 1830, to more than twenty-four mil-

lions in 1836. Lands in Maine were purchased in vast quantities at ten times their former prices. House lots enough were laid out to accommodate two or three times the present population of the nation. The land immediately about New York, and within ten miles of that city, which in 1830 was valued at ten millions of dollars, changed hands at prices which would have made the whole amount to over one hundred millions. Our imports increased from seventy millions in 1830, to one hundred and ninety millions in 1836. Prices of all articles of consumption rose, some forty, some sixty, and many a hundred per cent. But the wages of labor, fixed salaries, and compensation for services of all kinds *are the last to rise, and the first to fall*, in a general change of prices, nor do they fluctuate half so much as articles of merchandise. Laboring men therefore suffer most by the rise of prices which speculation occasions. Those who live on fixed salaries, or receive fixed fees, or enjoy the fixed income or interest of funds invested, suffer next, in the enormous tax levied by speculators.

But all this is independent of the fortunes lost by those engaged in trade and commerce, and the sacrifice submitted to by one of the parties to every contract, by the *fluctuations* in the money market, which follow each other at intervals of about three years, rising and falling with as much regularity as the billows of the ocean, and having always a smaller series of intermediate waves between the billows. These fluctuations are the natural result of the banking system, and will always grow out of it. When confidence begins to return after one of our terrible convulsions, prices, from the mere fact that they had fallen too low, begin to rise. This gives business an impulse, and disposes dealers to borrow money and make purchases. There is a competition between those who wish to supply themselves, as they are all anxious to lay in their stock of goods before there is any essential advance. The banks are willing to loan freely for this purpose, because purchasers at the low prices being perfectly safe, they are secure of repayment. Each bank can enlarge its discounts and loans, because, as all the other banks are doing the same, its bills are not forced

home upon it for redemption. The more money is issued, the more purchasers are made; and prices rise both from depreciation of the currency, and from the briskness of the demand. The faster prices rise, the more pressing will be the applications to the banks for loans; and the banks, as their first object is to make large dividends, will grant these applications as long as confidence continues. New banks are created: old banks push to the verge of prudence. More goods are imported, more goods are manufactured, production of every kind is over-stimulated.

There must, however, be a pause in this progress. Either from the depreciation of the currency, specie becomes of less value here than abroad, and is therefore exported; or the market is so glutted with products, that buyers are indifferent about taking them off the hands of holders, in which case a competition arises among the sellers which runs down prices; or a suspicion springs up in the mind of capitalists, or of the bankers themselves, and finally of the whole community, that prices artificially high are unsafe, and must fall. From whatever cause it happens, when once confidence is shaken, the banks, willing or unwilling, must contract. They find themselves in a precarious situation, and to fortify themselves, they call in their paper, and diminish their discounts. Contraction once begun, must go on, by a necessity as irresistible as the decree of fate, for every bank sends home the paper of every other bank. By the contraction, money is restored to its true value, prices are reduced again, and the improvident, surprised with large stocks on hand, are ruined.

It is in the power of a combination of banks, or of one mammoth bank, to increase these periodical fluctuations, or to create lesser intermediate vibrations, for their own advantage, at pleasure. In June, 1819, a leading press, Niles's Register, complained, and justly too, that "We have now indubitable evidence that twenty-five men at Philadelphia can make money plenty at their own will and discretion—an immense command over the nation, by fixing the value of every acre of land, and of any other species of property, from the lowest point of Flor-

dy to the Lake of the Woods." It might with more truth have been alleged four years ago that one man in Philadelphia possessed this power, and the nation felt soon afterwards that he did not scruple to use it.

A bank with a capital of thirty-five millions can make its managers and their favorites rich, at a single operation, by making money alternately plenty and scarce. Having first secured large loans to its favorites as a permanent accommodation for twelve months or more, they then contract their discounts suddenly. This compels all the lesser banks to curtail their accommodations and collect their debts rapidly. In three or four months' time this sinks prices a fourth or even a third. Then the managers invest their funds to the best advantage, and the arrangements being completed, the bank floods the country with its notes again, and the lesser banks freed from the pressure of balances against them, follow its example; and money instantly abounds, and property assumes higher values than before its fall. The speculators sell at the highest point, the bank itself furnishing the purchasers with funds if necessary. When the golden harvest is fully reaped, they may make money scarce again, and prepare for another.

In describing this process, Mr. Niles, in 1819, used this strong language. "At the end of the year, the managers in the scheme realize from fifty to one hundred thousand dollars each, which they may be said as completely to rob the people of, as if, with pistol in hand, they took the money from travellers on the highway. Indeed the last should be considered the most honorable." These expressions are too severe; they were wrung from sober men at that time, by the torture which the United States Bank inflicted, when it first *regulated the currency*, much as one might regulate the packing of gunpowder, by clapping a coal of fire into a cask of that article. The bank no sooner touched the currency than a universal explosion ensued, scattering the broken fragments of credit over the south and west, and covering the land with the wreck of blasted hopes, enterprise arrested, commerce stagnant, industry prostrate, mutual confidence annihilated, and the whole business intercourse of soci-

ety thrown into a chaos of irremediable confusion. Mr. Niles's phrase was, "the bank was saved, but the country was ruined." Their agony under the screws of the great engine may excuse the sufferers under the first *regulation* for the intemperate warmth of such remarks. The victim broken on the wheel is not expected to groan with grace and decorum. It is fashionable, now-a-days, to speak more tenderly and respectfully of this mode of conveying one man's property into another man's pocket, and no one, I think, would venture to compare it with highway robbery.

It is neither to be asserted nor intimated, because it cannot be proved, that the directors of banks, often, with a deliberate design, create a pressure in order to take advantage of it, as just now described: but the effect on the community, of the fluctuations produced by banks, is of the same nature, even in the absence, which we believe is generally the case, of any injurious intention on the part of the managers of those institutions. In times of scarcity, the directors and their friends are naturally accommodated before strangers. Those who stand at the source of the stream drink first. With scarce money, they buy at low prices. When prices are rising, and money easy, then it is that the banks discount freely, because they then can do it, not being pressed or run upon. Then it is that the knowing ones sell, because then they can sell highest, and pay their debts to the banks, because just then a loan is no favor. A large balance of profit remains in their hands, and as soon as a falling market and contracted issues have brought about the proper moment to enter on a new speculation, they are ready to borrow and buy again.

But it is not only the favored borrowers from banks who tax the people through these fluctuations; if it were, that tax has been reckoned already in speaking of the advantage they gain from their monopoly. But the whole amount of property transferred by the fluctuation, vast as it is, is a tax on the losers, which the banking system has enabled the gainers to levy on them.

A great crime, a national crime, has been committed, and is still persisted in—the crime of cheating the labor-

ing classes by the delusion of paper money. Who then are guilty of this heinous crime? for the innocent must not share the shame; who are the guilty?

Not every stockholder of a bank, not every officer of a bank, not every borrower from a bank, not every trader, or capitalist, who has profited by the fluctuations caused by a paper currency. O, no! We should do them great injustice if we set down all these as our enemies, when among them are many of our best friends —friends who are ready to witness their sincerity by cheerfully submitting to great sacrifices to restore a wholesome currency. The system is riveted upon us. It has insinuated itself into all business intercourse, so that no business man can keep clear of it, any more than he could keep clear of cold, if he had been born in the frigid zone, or of heat on the sands of the great desert, for paper money is all pervading as the atmosphere. We might as well proscribe every man who takes a bank bill, as every man who owns a bank share, or assists in managing a bank, for it is the bill holders, ultimately, who produce the fluctuations: if they refused to receive paper, it could not be issued. There are thousands, tens of thousands, who abhor irredeemable paper, and will go as far as any man to suppress the mischief, but who cannot, so long as bad legislation forces it upon them, disentangle themselves from the system, without neglecting duties they are bound to discharge, and abandoning the station in which Providence has placed them. A sober man may disapprove of war, and of all preparation for war, yet if the government has established a powder magazine in the heart of his village, it is better that he should keep it than a drunkard or a lunatic. In the debate on the charter of the United States Bank, John Randolph said, that he owned no stock whatever, except live stock, and had determined never to own any; but if this bill passed, he would not only be a stockholder to the utmost of his power, but would advise every man, over whom he had any influence, to do the same, because it was the creation of a great privileged order of the most hateful kind to his feelings, and because he would rather be the master than the slave. Without going quite this

length with Mr. Randolph, many feel justified in defending themselves with the same weapons with which they are attacked, though anxious to prohibit the use of those weapons to all. These are on our side, and we must not make war upon them, for without their assistance we shall never be able to reduce the trade in money to an equal footing with all other trades. To whom then does the guilt belong, for it must fall somewhere?

To those who fastened the system on us, who uphold and defend it, who oppose all efforts to abolish it or mitigate its evils, who are determined to perpetuate it, with all its most grievous abuses. To all who sustain it by their votes in the national or state legislatures. To all who vote for the bank candidate for President of the United States; the bank candidates for congress; the bank candidate for governor; the paper money partisans for state senators and representatives. Among these are thousands who own no bank stock, and who groan under the curses they invite. If they kneel for the rider to mount, who can pity them when they feel the spurs?

Who have fastened the system upon us? Clearly those who profit by it, the aristocratic, or whig party, so called because they somewhat resemble the party in Great Britain thus described in the Edinburgh Review, "THE STRENGTH OF THE WHIGS LAY IN THE GREAT ARISTOCRACY, IN THE CORPORATIONS, AND IN THE TRADING OR MONEYED INTERESTS." Look at their course in Massachusetts. In the spring session of eighteen hundred and thirty-five there were many petitions for new banks. Some few whig presidents and directors of banks opposed petitions asking for a share in their monopoly; but the *majority* of the whig party voted to grant them. The whole democratic party opposed them, as did many nominal whigs, with democratic consciences, from among the yeomanry, and they were defeated. All the support they received came from whigs, the most ardent opposition they encountered was from democrats. If one fourth part of the democrats in the legislature had supported them, they would all have passed, and a numerous litter of banks would that year have cursed the state.

The aristocracy has lately come before the country more distinctly than ever as the bank party. The coalition evidently intend to fight over again the battle for a national bank in which they were defeated in eighteen hundred and thirty-two. They cannot at this moment agree upon the precise plan of the institution they would establish, and the difficulty of determining the details may cause some delay in bringing forward their project; but the hope of a national bank is their only bond of union. The whigs profess that the revolution of 1688, from which they derive their name, "was a revolution in favor of property." They believe that "it is the part of wisdom to found government on property." They "avow their belief that in a great majority of cases, the possession of property is the proof of merit." They hope to become much more *meritorious*, if the government can be founded on their property, by creating a national bank, and investing it with controlling power.

A national bank cures none of the evils of paper money banking, but enhances them all. It increases all the *expenses* of the system, for the great bank, being on a more magnificent scale than any other, sets an example of extravagance to all the rest, which by degrees they follow. It vastly increases the *fluctuations* of the currency, for the smaller institutions bank upon its paper as they otherwise would upon specie; and as this paper is much more easily obtained than specie, while the bank is expanding, it makes the general expansion more rapid; and as it is more suddenly withdrawn than specie, when the great bank contracts, it makes the general contraction more sudden. If the state banks issued paper on a specie basis, the fluctuations of the paper currency would still be a great evil; but how much greater must be the fluctuation, when the basis itself is an elastic medium, which expands when it ought to contract, and contracts when it ought to expand? It of course increases the *depreciation*, which must be greater in proportion as the whole amount of paper out exceeds the specie.

That such an institution fosters more than any other the spirit of *speculation* is too evident to need proof. The larger the bank, the more enormous will be the specula-

tions it occasions, and these enormous speculations, deranging prices, will engender innumerable smaller operations of a similar character. April 9th, 1832, the loans of the mother bank, at Philadelphia, made that day, were—

In 1	loan,	over			$400,000	$417,766
4	loans	not	less	than	200,000	995,456
3	"	"	"	"	100,000	341,729
19	"	"	"	"	50,000	1,274,882
72	"	"	"	"	20,000	2,404,278
						$5,434,111

leaving less than a tenth part of this amount, $529,974 only, to be divided in sums less than twenty thousand dollars, among all the rest of the community. The speculations into which men launch with such facilities, terminate in *bankruptcies* of a proportionate magnitude.

A national bank is the great parent of *forgery*. Small banks having a local circulation, their bills are less extensively counterfeited, because the chance of detection is greater, the fraud sooner becomes impossible, the field to operate in is not so wide. From 1797 to 1819, the prosecutions for counterfeit notes of the Bank of England were nine hundred and ninety-eight; the convictions were eight hundred and forty-three, of which three hundred and thirteen were capital. The counterfeit notes detected *at the bank alone*, during six years and three months of that time, were 107,238 one pound notes, 17,787 two do., 5,826 five do., 419 ten do., 54 twenty do., 35 above twenty pounds. If more than twenty thousand a year are detected at the bank, how shall we estimate the numbers detected elsewhere?

The verdict of history is decisive against national banks. The Royal Bank of France was one of the most flattering and fatal delusions. Never was a financier more popular than John Law, its founder. Never was a country more prosperous than France seemed before that bubble burst. An eminent French writer of that time called the projector "a minister far above all that the past age has known, that the present can conceive, or that the future will believe." All France was seized with

a rage for speculation. "All the world," says Postlethwaite, "ran to Paris." There were half a million of new comers in the city. Twelve hundred new coaches were set up. As fast as new blocks and streets could be built up, lodgings could not be had. The reaction shook the social fabric to its base. Gloom and despair were inmates with every household. Four hundred thousand fortunes had been sacrificed, and the state loaded itself with a specie debt of sixteen hundred and thirty-one millions of livres. The amount of its paper in circulation at the time of the crash was four hundred and nineteen millions of dollars, not so much beyond our own paper circulation, in proportion to the population, as the terms in which this bank is usually described would naturally imply, while the specie thrown into the bank in March and April, 1720, exceeded fifty-six millions of dollars, an accession of hard money such as our banks never received, in so short a time. John Law died at Venice, in 1729, never relinquishing for a moment the firmest conviction of the solidity of his system, the disastrous failure of which he attributed entirely to the malice of his enemies; and thousands of his disciples entertained the same belief for many years.

The present bank of France was established in 1803; and though, issuing no small notes, its circulation is comparatively steady, yet it has twice produced considerable distress; in 1806, when it occasioned numerous failures, and again in 1814, when it became so embarrassed that the government were obliged to limit its specie payments.

But the Bank of England is the model of American bankers. Its history is full of instruction and warning. In 1693, in the midst of national disasters, both the people and the ministry were weary of the war, which produced nothing but disgrace, but which William was obstinately bent upon continuing. He therefore brought in a whig ministry, whom he expected to find tractable, partly from the ambition of being courted by the crown, and partly from the prospect of gain from advancing money to the government. The most scandalous practices in the mystery of corruption were at that time exercised in grants, places, pensions, and salaries to members,

whereby the House of Commons was so managed that the king could quash all grievances, stifle the examination of accounts, and defeat any bill. When these practices were exposed, mere shame forced through both houses a bill for free and impartial proceedings in parliament, to which bill, the king, with the concurrence of his whig ministry, to whose existence corruption was essential, applied his veto. Corruption being thus perpetuated, a majority was secured in both houses, and the scheme of the bank brought forward, and the charter granted in 1694. Its whole capital was a loan to the government; its immediate object was to assist the government in carrying on an unpopular war. Its ultimate effects were distinctly foretold by the opposition, but the power of corruption prevailed.

From the year 1797 to 1817, the metallic currency of the world had slightly diminished, while the business to be transacted had greatly increased; prices ought therefore to have fallen, instead of rising. Improvements in agriculture had more than kept pace with the increase of population; for this reason also the prices of wheat should have fallen. War no doubt raises the price, but the war was raging in 1794 and 1795, when the price was under fifty shillings; and the country was at peace in 1817, when the price was one hundred and twenty-four shillings. Corn laws go but little way to account for the fluctuations—they must be mainly owing to bank paper.

Compare the circulation of the bank and the price of wheat for a few years, and see whether you can doubt that they are cause and effect. The circulation of bank notes

in 1787	was	£8,688,570,	wheat	was	49*s.* 9*d.*
1790	"	10,217,360,	"	"	57 10
1795	"	13,539,160,	"	"	77 5
1805	"	18,397,880,	"	"	106 —
1810	"	21,000,000,	"	"	116 2
1817	"	30,099,908,	"	"	124 —

After Parliament had determined in 1819 that the bank should resume specie payment, it began to diminish its circulation, which was brought down to £18,000,000, a

less sum, in proportion to the business done, than the circulation of 1795. Accordingly wheat fell, and for ten years after 1819 it averaged seventy shillings. As thirty millions are to eighteen millions, so are one hundred and twenty-four shillings to seventy-four shillings: so that wheat fell more than bank notes diminished, the increased business to be done giving a higher value to money.

"The average money price of corn regulates more or less that of all other commodities," says Adam Smith; we may judge, then, what universal distress this bank produced by raising prices. We are not left to conjecture the effects; they are matter of record. The years 1812 and 1817 are the two years in which wheat reached the highest price it had borne for nearly six centuries, since the great famine of the year 1270. These were two years when the taxes were comparatively light, particularly 1817. In 1815, for instance, the taxes were £79,948,670, while in 1812, they were £70,435,679, and in 1817, they were only £55,836,257. The distress which existed then was produced by the high price of wheat, in *spite of lighter taxation.* Yet Mr. Huskisson singled out these two years, as those in which the pressure was most severe. These were his words: "If distress bordering upon famine, if misery bursting forth in insurrection, and all the other symptoms of wretchedness, discontent, and difficulty, are to be taken as symptoms of pressure upon the people; then I should say, that 1812 and 1817 were two years, of which no good man can ever wish to witness the like again."

Thus has this institution taken the bread out of the mouths of the poor, literally and fatally. In Barton's poor-law tables the connection is shown between the high price of wheat and the increase of mortality. In seven manufacturing districts in England, when wheat was 118*s.* 3*d.* there were 55,965 deaths in a year; three years later, when wheat had fallen to 60*s.* 1*d.* there were but 44,794 deaths in the same districts. An extensive comparison between prices and mortality demonstrates the fact, that nothing tends more to prolong the average duration of life than the cheapness of good wholesome bread. Indeed, proof of this truth is before us all, in the extraor-

dinary longevity of the inhabitants of the agricultural villages of New England.

Sin and death are nearly related. What has been the effect of the Bank of England on crime? The year 1817 was that in which the amount of bank notes was greatest, and that year is as distinguished in the annals of the criminal law as in the history of the bank. In the year 1817, the number of criminal prosecutions suddenly rose from about 8000 to about 14,000; the number of persons condemned to death, from 890 to 1302; of persons transported to New Holland, from 1054 to 1734. Want of employment, poverty, and hunger, all springing from high prices, and the deranged currency, caused these additional crimes. In June, 1823, after the resumption of specie payments, Sir Robert Peel made the following statements to parliament. In 1817, seven out of nine of the manufacturing class were unemployed; in 1823, none. In Sheffield, the poor rates, in 1820, were £36,000; in 1823, only £13,000. In 1817, there were 1600 houses empty; in 1823, none. In Birmingham, in 1817, of 84,000 inhabitants, 27,500 received aid from the poor fund; a third part of the workmen had no occupation; the remainder were only half employed; the poor rates amounted to about £60,000. In 1823, all the workmen were employed; the poor rates amounted to only £20,000. The weekly pay of weavers, which in 1817, had sunk to three shillings and three pence, now rose to ten, and sometimes to sixteen shillings. The exports had increased, and disturbances ceased.

The mode in which paper money fluctuation, such as the Bank of England begets, grinds the independent poor into pauperism, has been fully explained already. British pauperism is the offspring of the bank. There were not two hundred thousand paupers in England and Wales, when the bank begun to grind; in 1810 there were twelve hundred thousand, and the bank ground harder after that. The poor rates were but small in the time of King William; but in 1827 they were about thirty-eight millions of dollars.

The madman who scatters firebrands, arrows, and death, and says, Am I not in sport? is innocent and lovely

compared with the monster that inflicts these miseries on the British people. It sucks the blood from their veins, the marrow from their bones: it makes them bond slaves, and mocks at their unpaid toil, till exhausted nature sinks into an early grave. It is such an incarnation of active, all-pervading, unremitted cruelty, that our whig nobility worship; that they desire to see enthroned over us; and upon whose altar they are ready to sacrifice the properties, morals, lives, and liberties of American citizens.

The Bank of England has generally had no actual capital, no, not a farthing, for the purposes of trade. Its loans and advances to the government have, during almost the whole of its existence, exceeded its whole capital; so that it wrings from the people, by the machinery of paper money, the whole of that immense wealth, on which its stockholders fatten; and through which it has sometimes been, to use the expression of one of its friends, "strong enough to take the government on its shoulders." In such precarious strength there is inherent weakness; and the bank is more likely, ultimately, to bury the government in its ruins, as it threatened to do in 1696, and again in 1797. With the bank begun the funding system: hand in hand with the bank, dependent on it, and growing out of it, the funding system has advanced. Like the Siamese twins, they have one common breath of life; separate them, and they perish. "The practice of funding," says Adam Smith, "has gradually enfeebled every state which has adopted it." He instances the Italian Republics, Genoa, Venice, Spain, France, and the United Provinces, and adds, "Is it likely that in Great Britain alone, a practice which has brought either weakness or desolation into every other country, should prove altogether innocent?" Since Smith wrote this (in 1776) that explosion has taken place in France, which made all nations quake with fear,—an explosion, which would never have happened, but for the practice of funding: the British debt is quadrupled: is the practice of funding less likely now to bring desolation upon Great Britain?

The United States had one fair experiment of paper money at the outset of their national existence. An eye-witness, Mr. Pelatiah Webster, speaks thus, first of its

supposed advantages, and afterwards of its real evils. "Though men of all descriptions stood trembling before this monster of force, without daring to lift a hand against it, during all this period, (from 1776 to 1781,) yet its unrestrained energy always proved ineffectual to its purposes, but in every case increased the evils it was designed to remedy, and destroyed the benefits it was intended to promote: at best, its utmost effect was like that of water sprinkled on a blacksmith's forge, which indeed deadens the flame for a moment, but never fails to increase the heat and flame of the internal fire. Many thousand families of full and easy fortune, were ruined by these fatal measures, and lie in ruins to this day, without the least benefit to the country, or to the great and noble cause in which we were then engaged." He enumerates the sufferings incident to the war, the exorbitant price of foreign goods, the extreme scarcity of many necessary articles, such as salt, the total cessation of many trades for want of materials, the seizure of goods, wagons, stock, grain, cattle, timber, and every thing else which was wanted for the public service, the captures, ravages, and depredations, the burnings and plunders of the enemy, which were very terrible and expensive. "They had possession, first or last, in the course of the war, of eleven of the capitals of the thirteen states, pervaded the country in every part, and left dreadful tracks of their marches behind: burning in cool blood a great number, not only of houses, barns, mills, &c., but also of most capital towns and villages." Yet all these evils, he testifies, were less than those of continental money. "We have suffered more from this cause," he says, "than from every other cause of calamity: it has killed more men, pervaded and corrupted the choicest interests of our country more, and done more injustice than even the arms and artifices of our enemies." "While we rejoice in the riches and strength of our country, we have reason to lament with tears of the deepest regret, the most pernicious shifts of property which the irregularities of our finances introduced, and the many thousands of fortunes which were ruined by it; *the generous, patriotic spirits suffered the injury; the idle and avaricious derived the benefit*

from the confusion." This was written at the very period of the dissolution of the continental currency system, while the people were yet smarting under its torments, the remembrance of which had so much power over the fathers of our constitution, that they deliberately and sternly REFUSED TO INCORPORATE IN THAT INSTRUMENT, ANY LICENSE TO THE FEDERAL GOVERNMENT TO CREATE ANY CORPORATION, LEST UNDER SUCH A LICENSE THEY MIGHT CHARTER A NATIONAL BANK.

It is natural to imagine that government paper which depreciates suddenly, and then becomes worthless, is an evil much more terrible than a national bank with its ever-fluctuating currency. Not so. A sword cut, or a gun-shot wound, however appalling, yet if it heals or kills, is less to be dreaded, than to be stretched daily on the rack for years, to perish in the torture at last. Law's bank and Mississippi scheme, the south sea bubble, assignats, and continental money, marked their course with wide destruction, but they had their end. The victims who survived recovered, others filled the places of the fallen, and a new career of prosperity commenced; but when will England shake off the incubus of her national bank? A paper money explosion, even like the most awful on record, is far less to be deprecated than the perpetual wrong, injury, and tyranny of a perpetually fluctuating paper currency; even as the fire that sweeps the prairie, but leaves the soil rich for a fresh vegetation, is less fatal than the eternal curse of barrenness on Sodom and Gomorrah.

Nothing can prevent a mixed currency partly of paper, from becoming superabundant, and consequently depreciating. Nothing can prevent such a mixed currency from fluctuating, and the larger the proportion of paper, the greater will be the fluctuation.

A national bank, or any other banks, issuing small bills unrestrictedly, must sooner or later stop specie payment: its paper then becomes irredeemable paper, which even the whig oracle abhors. This result is not accidental, it is certain and necessary: it is the inherent vice of the system. During the last forty years, the Bank of

England has refused payment in specie twenty-six years, and the banks of the United States generally have violated their obligations twice.

I say nothing of the government banks on the continent of Europe, such as the banks of Petersburg, Copenhagen, Vienna, &c., because the friends of a national bank among us have nothing to say for these. They admit them all to be miserable failures. Their only favorite model is the Bank of England, which has issued irredeemable paper about half of the time since the United States had a banking system. "A bank not to pay specie," said Mr. Calhoun in 1816, "would be an instrument of deception; it would have no character or feature of a bank. He should regard it with disgust and abhorrence." Such a bank is the great bank in Pennsylvania. Let banks issuing small bills set out with what professions they may, to this complexion they must come at last: sooner or later, they will be banks not to pay specie.

No art, wisdom, or power of man can prevent irredeemable paper from depreciation. The promise of gold, however slightly doubtful, is worth less than gold itself; but nothing can make a promise known to be false, equal to a promise believed to be true. The severest penal laws could not prevent guineas from selling at twenty-eight, and even thirty shillings, in bank notes, while the Bank of England violated its promises. Congress passed an act of outlawry, (January 11, 1776,) and other threatening declarations, against those who refused continental bills at par: this did not keep them at par. Danton and Robespierre undertook to sustain the value of the assignats, the revolutionary money of France. First, they decreed a long imprisonment to those who should take, pass, or offer assignats below their nominal value; then they fixed a price on all the necessaries of life, and punished with death those who, having such articles for sale, refused to sell them at the legal price in assignats: but the terrors of the dungeon and the guillotine proved insufficient, though unsparingly employed, to give value to a worthless paper. The fear of death, then, cannot check the depreciation of irredeemable paper.

If we sum up in one grand total all the wo to which

paper money banking, and the over-extended system of credit growing out of it, have given birth, we shall pronounce it to be the most tremendous of the plagues which the Almighty in his wrath has suffered to afflict degenerate men. Neither war, nor pestilence, nor famine, ever, for so long a time, spread desolation over so large a portion of the earth. What now paralizes the energies of Great Britain? Her national debt, which originated with the bank, grew with its growth and strengthened with its strength, is a part of the same system, and without its aid could never have swelled to the colossal dimensions in which it overshadows the empire. When the bank commenced, the debt was about five millions of dollars. The object of the creation of the bank was to increase the debt, which it manages for the government, and which is now about four thousand millions of dollars; the sinews of the poor, from generation to generation, being mortgaged to pay the interest. The burdens and taxes, which I enumerated in speaking of the banks of Massachusetts, are but a drop from that fountain of bitterness, the preposterous extension of a fictitious credit, which has deluged the world with miseries. View the bank and the funding system together, in their combined operation, and see what the abuse of credit, through fictitious paper, has done for mankind. What enabled Great Britain to carry on wars ruinous to her own interests, destructive of her own liberties, and fatal to the welfare of the human race, for one half the period from the accession of King William to the downfall of Napoleon? Paper credit; whereby the ministry of the day could not only exhaust the resources of the nation, but beggar posterity, building up that national debt which is the most stupendous phenomenon of modern times; perhaps, in the world's whole history. Not Napoleon in his march on Moscow, with that carnival of horrors, the retreat, gave so many corpses to the wolves and vultures, as paper credit. Neither Alaric, nor Attila, nor any other scourge of God, ever struck down so many heads, or glutted his revenge with so vast a havoc, or left behind him such wide-spread devastation.

If France, in 1789, had had no debt, France might

have been free and happy, without a bloody revolution, and the long years of succeeding agony. Who stimulated and kept alive the wars that grew out of the French revolution, wherein three millions of human lives were sacrificed? England. How did she sustain those wars? By her paper credit. It was paper credit that held out through twenty-three years of carnage, and at last conquered at Waterloo. It is a stock corporation, existing by credit, and operating through credit, that has "sold every monarch, prince, and state, in India, broken every contract, and ruined every prince and every state who had trusted them;" that has bestrown that whole empire with the bones of slaughtered millions, turning their temples into charnel houses, and making their Eden a Golgotha. It was paper credit that waged war eight years upon the liberties and rising independence of America. It is paper credit that rivets the fetters of Ireland, and tightens the ligatures which check the circulation of the British empire's life-blood.

Napoleon Bonaparte is said to have predicted, at St. Helena, that the next general convulsion of Europe would be a conflagration of paper credit. When that catastrophe befalls the insolvent governments of the old world, when the national debt of England, "incurred one half in pulling down the Bourbons, and the other half in setting them up," explodes, and blows up with it the bank, the East India Company, and the government, while the debts of the continent topple down with the shock, will not the contest over the wreck be fiercer than the memorable reign of terror, in proportion as greater interests are at stake, and greater numbers implicated? It seems that elements exist to form a crisis as much more terrible than the last, as the battle of devils conceived by the genius of Milton exceeds in sublimity the ordinary conflicts of men.

It is time to return from these speculations to our own peculiar perils. "Let the Americans," said William Pitt, "adopt their funding system, and go into their banking institutions, and their boasted independence will be a mere phantom."

Could William Pitt have foreseen, that in about sixty

years from our independence, we should have eight-hundred and twenty-three banks, whose loans would exceed five hundred and ninety millions of dollars? Could he have foreseen that these banks would issue their bills to the amount of one hundred and eighty-five millions, and then, in May, 1837, stop payment, and continue to flood the country with irredeemable paper? Could he have foreseen that a British banking house (the Barings) would in their circulars describe, truly describe, the contest between the banks and their privileges on the one hand, and the people and their liberties on the other, as a contest between the aristocracy of wealth, and the democracy of numbers; and that in this contest, an institution modelled after the Bank of England, and largely owned by British stockholders, would lead the bank interest; while the democracy of numbers would sustain the government and the constitution of their country? Could he have foreseen that merchants, having a deep stake in the preservation of order, would threaten rather to rebel, than pay their dues to the government, while they could find plenty of specie to export in England; and that the government would be called on, in every form of entreaty and menace, to allow the whole basis of our circulation to be withdrawn from us, and to flow from the West to the Atlantic cities, and thence across the ocean, leaving our banks, and our people, to certain ruin, in order that the Bank of England might not be compelled to suspend specie payments? Could he have foreseen that for the benefit of England a new doctrine would be advanced in America, that "the truth is, the banks of the United States are always the STRONGEST when they hold the LEAST SPECIE, and the country always the RICHEST when it has the LEAST GOLD AND SILVER?" If he foresaw all this, no wonder he anticipated that banks would one day reduce our boasted independence to a mere phantom.

His forebodings will not, however, be realized. Our government is a popular government. With us, the will of the people is sovereign, and it is not the will of the people to barter their birthright for a mess of pottage. Though they believed all the promises of advantage which

banks hold out, promises which the history of other nations, and the experience of their own, have shown to be delusive, yet liberty and independence are blessings too dear to them to be weighed in the balance with wealth. What shall it profit a man if he gain the whole world, and lose his own soul? The slaves of filthy lucre, who prize it above liberty, must have sold themselves, body and soul, into the service of the god of their idolatry; but the American people cling to their soul's freedom.

To deliver us from thraldom to the banks, a sound currency is indispensable.

Let the ban dogs of faction howl; fangless now, their malice is impotent. A great people is conscious of its rights and power. Calmly majestic, it gathers its strength, and rises to overturn, smite, and demolish, whatever the spirit of our institutions cannot tolerate. Rashness shall not rule the hour, nor an avenging fury confound innocence with guilt; but the inflexible determination of virtuous wisdom shall carry on reform, till her warfare be utterly accomplished. Then, when the proud bearing of paper feudality is humbled, the hoarse throat of anarchy silenced, and popular sovereignty sways over all the sceptre of equal justice, then may we exult in the security, eternal, as far as human foresight reaches, of American liberty, union, and independence.

OPINIONS OF ALEXANDER HAMILTON.

THE American people may read in the messages of our patriot Presidents, summaries of the principles of freedom, such as cannot be found in any other series of state papers ever given to the world. But so irresistible is the impression which these principles make upon the heart, that one can hardly believe that any citizen of our free country ever thought otherwise than Jefferson, Madison, Jackson, and Van Buren.

When we close the volume that includes their precious expositions of the democratic faith, we are almost ready to say of the whole contents, what the declaration of independence says of the fundamental axioms on which their system is built, "WE HOLD THESE TRUTHS TO BE SELF-EVIDENT!"

Yet the aristocratic party of the country holds, and always has held, opinions diametrically the opposite of the doctrines of equality. As we have not room to give very numerous extracts from their writings, and as the acknowledged founder of the whig school is still the apostle of the bank faction, we will give a distinct view of his ideas of government, to be contrasted with those of the great apostles of democracy.

Extracts from a speech by Alexander Hamilton, June 18, 1787, as reported in Judge Yates' minutes of the secret debates of the convention which formed the federal constitution:—

"I believe the *British government* forms the best model the world ever produced, and such has been its progress in the minds of many, that the truth gradually gains ground. This government has for its object public strength and individual security. It is said with us to be unattainable. *If it was once formed, it would maintain itself.*

"All communities divide themselves into the few and the many. The first are the rich and well-born, the other the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. GIVE THEREFORE TO THE FIRST CLASS A DISTINCT, PERMANENT SHARE IN THE GOVERNMENT

* * * "Nothing but a permanent body can check the imprudence of democracy. Their turbulent and uncontrolling disposition requires checks.

* * * "It is admitted that you cannot have a good executive upon a democratic plan. See the excellency of the British executive. He is placed above temptation. He can have no distinct interests from the

public welfare. NOTHING SHORT OF SUCH AN EXECUTIVE CAN BE EFFICIENT.

* * * "Let one body of the legislature be constituted during good behavior or life.

"Let one executive be appointed who dares execute his powers.

* * * "And let me observe, that an executive is less dangerous to the liberties of the people when in office during life, than for seven years."

Mr. Hamilton read his plan, which may be found in Elliott's Debates, vol. i. p. 12.

It contained the following provisions:

1. A legislature in two chambers, "*with powers to pass all laws whatsoever*," subject to the veto.

2. The house to be chosen for three years.

3. The senate to serve during good behavior.

4. The executive to serve during good behavior, and to have a negative on all laws about to be passed, the entire direction of war when once begun, the *appointment* of his cabinet officers, and nomination to the Senate of other officers, and the pardoning power. TO APPOINT THE GOVERNOR OF EACH STATE,—and TO HAVE A VETO ON ALL THE LAWS OF EACH STATE.

No state to have any forces land or naval, and their militia to be under the *sole* and *exclusive* direction of the United States.

In closing his speech on this plan, Mr. Hamilton remarked, "The people are gradually ripening in their opinions of government—*they begin to be tired of an excess of democracy*—and what even is the Virginia plan, but *pork still, with a little change of the sauce.*"

Mr. Madison, in his report of this speech in the Debates in the Convention, vol. ii., p. 885, attributes to Mr. Hamilton the same ideas. The following are extracts from Mr. Madison's account.

"Mr. Hamilton said, 'In his private opinion, he had no scruple in declaring, supported as he was by the opinion of so many of the wise and good, that THE BRITISH GOVERNMENT WAS THE BEST IN THE WORLD, and that he doubted whether any thing short of it would do in America.'

"Give all power to the many, they will oppress the

few. Give all power to the few, they will oppress the many. Both, therefore, ought to have the power, that each may defend itself against the other. To the proper adjustment [of this check] the British owe the excellence of their constitution. THEIR HOUSE OF LORDS IS A MOST NOBLE INSTITUTION."

"As to the executive, it seemed to be admitted that no good one could be established on republican principles. Was not this giving up the merits of the question; for can there be a good government without a good executive? THE ENGLISH MODEL WAS THE ONLY GOOD ONE ON THIS SUBJECT." * *

"Let one branch of the legislature hold their places for life, or at least during good behavior. Let the executive also be for life."

In August, 1840, the second volume of the life of Hamilton was published by his son, John C. Hamilton. In this volume, page 481, we find "the brief, as it exists among his manuscripts," of this celebrated speech.

Here then are some of the heads as they stand in Hamilton's own hand-writing:

"BRITISH CONSTITUTION, BEST FORM.

* * * * *

"Representation alone will not do.

"Demagogues will generally prevail.

"And if separated they will need a mutual check

"THIS CHECK IS A MONARCH.

"Each principle ought to exist in full force, or it will not answer its end.

"The *democracy* must be derived immediately from the people.

"The aristocracy ought to be entirely separated; their power should be permanent, and they should have the *caritas liberorum*.

* * * * *

"The monarch must have proportional strength. HE OUGHT TO BE HEREDITARY, and to have so much power, that it will not be his interest to risk much to acquire more. * * *

"It is said a *republican* government does not admit a rigorous execution.

"IT IS THEREFORE BAD; for the goodness of a government consists in a vigorous execution.

"The principle chiefly intended to be established, is this—that THERE MUST BE A PERMANENT WILL."

A whig is an admirer and defender of the British constitution, as settled in 1688. The above extracts prove that Alexander Hamilton was a genuine whig. He held in its purest form the doctrine vindicated by Daniel Webster in the Massachusetts convention of 1820, when he said, "*It would seem then to be the part of political wisdom* TO FOUND GOVERNMENT ON PROPERTY!"

"Hamilton," says Mr. Jefferson, "was not only a monarchist, but for a monarchy bottomed on corruption." This is the British whig system, as acted on by Walpole, and in this country also illustrated by the operations of the bank in its loans to members of Congress, editors, &c., and in its immense fees to Clay, Binney, Webster, and others.

THE PERFECTION OF GOVERNMENT.

BY GOV. MORTON, OF MASSACHUSETTS.

FREE government, to be permanent and secure, must be founded on equality—equality of rights and duties—equal rights of acquisition and enjoyment—duties equal in obligation, though not in degree. The powers, mental and physical, with which we are endowed, are unequal and various, but admirably suited in their proper application to the multifarious wants and comforts of human life, and all wisely and wonderfully adapted to the promotion of the greatest happiness of the whole. He who faithfully performs the part assigned to him, will fulfil the end of his creation, and be entitled to his appropriate reward. He who profitably employs the ten talents intrusted to him, will no more perfectly perform his duty, than he who does the same with his one talent. But the benefits of their respective labors, and the fruits and

rewards thereof, will be widely different. Each one should be secured in the productions of his own industry, and the remuneration of each should be in exact proportion to the utility of his services. Let not those more blessed, neglect to employ their own talents, nor seek to filch from the less favored ones the pittance of their earnings.

A munificent Providence has made ample provision for the whole human family. But the unequal and unjust distribution of his bounties by his children "makes countless thousands mourn." Great inequalities of condition—the extremes of poverty and wealth—are alike unfavorable to free institutions, and to the virtue, intelligence, and happiness of the people. In those communities where the greatest degree of equality prevails among their members, there also will ever be found the highest degree of intelligence, virtue, and felicity. It should, therefore, ever be the leading object in the institution of government to promote so desirable a state. With the different capacities of men perfect equality is unattainable. But how shall the nearest approximation be made? Not by diminishing the stimulants to industry, for this is the ordinance of God; not by weakening the rights of property, for they should be deemed sacred, nor by restraining its disposition or descent, for this is alike beneficial to parents and children; but by holding out to all the highest motives to industry and frugality, and by insuring to labor, mental and physical, a reward exactly proportionate to its utility. Let every one have undoubting assurance that he will receive a share in the common stock, in the exact ratio of his contributions to it, and this will furnish the highest encouragement which human power can offer, to promote the intelligence, virtue, and happiness of the whole.

Such is the high aim of democracy. If, like all human institutions, it is imperfect, and fails of the accomplishment of its whole object, it is a reason for increased efforts on the part of its friends to improve it, rather than of discouragement at its short comings.

If any government can be said to be l y divine authority, it is the government of the people. And if covered

by its broad panoply of equal protection, we find bad as well as good, infidels as well as Christians, it proves the expansiveness and universality of its beneficent power. The rain falls on the unjust as well as the just. Because it guarantees the freedom of thought and of belief, and, in all, the advocacy of their own opinions, and thus commands the approbation of those who, from the fewness of their numbers, or the odium of their tenets, need its protecting influence, let it not be said to favor their views. Because it secures to the infidel the enjoyment of his opinions, let it not be supposed to favor infidelity. Nothing can be farther from the truth. Its principles are founded in Christianity itself, and find their highest sanction in the Gospel. And whenever the time shall arrive that every man shall govern his conduct by the fundamental rules of Christianity—"thou shalt love thy neighbor as thyself"—"and whatsoever you would that men should do to you, even so do ye to them," there will exist a state of perfect democracy; and if any human government be needed on earth, it will be a perfect democratic government.

DEMOCRACY AND REFORM.

[EXTRACT.]

We address ourselves to reformers, to men who profess to believe in progress, and to be desirous of laboring in the holy cause of social melioration. Can they hesitate which party to join, when the alternative is to join one or the other of the two existing parties? We have no disposition to speak disparagingly of the whig party. In that party are many men whom we are proud to reckon among our personal friends. We freely acknowledge that it embodies much talent, and not a little private worth. But every party, if it be worth considering, has a set of principles which it must develop, and which it is con-

pelled by the laws of Providence to push to their last consequences. These principles are stronger than individuals. They carry away individuals in spite of themselves. There is an invincible logic which conquers the stubbornest will. He who refuses to go where the principles of his party lead, is inevitably left by the way, and he who steps before his party to arrest its onward career, is swept away by a resistless current, or trampled in the dust by a thousand feet. To judge of a party, you need not inquire what are the private virtues of the individuals which compose it, but what are the principles on which it is founded, the idea around which it rallies, and which it is its mission to realize. This idea nakedly presented, may be repudiated by a large portion of the party; few of the party may comprehend it, or will its realization; nevertheless, they must all obey it, and nearly all will ultimately adopt its last consequences.

The capital invested in the soil has, with us, not even its legitimate share of influence. The commercial capital, the capital employed in business operations, is the preponderating power. To give it additional weight is therefore to war against the true interests of humanity

The party which labors to do this is not, and cannot be in this country, the party of progress. But the leading idea of the whig party is the preponderance of commercial capital. As the old English whigs supported the Bank of England, so they support the Bank of the United States; as the old English whigs supported the merchants, corporations, funding systems, so our American whigs support the same. The American whigs possess the larger portion of the commercial capital of the country, and they contend, that therefore they ought to control the government of the country. They ask with the celebrated Addison, in his "Whig-Examiner," "Is there any thing more reasonable than that they who have all the riches of the nation in their possession, or that they who have already *engrossed* all our riches, should have the management of our public treasure, and the direction of our fleets and armies?" This question might be very proper if our work were to put down an aristocracy founded on birth and the sword, like the old feudal aris-

tocracy; but it indicates the worst possible system here, where our work is to raise up man, and give him the pre-eminence over money.

The whig party also is a foreign party, and anti-American in its principles. Its policy and movements are necessarily controlled, not by a regard to true American interests, but by a regard to the interests of the "credit system," which the party is wedded to, of which the Bank of England is the common centre, and whose ramifications extend to all parts of the globe. By commerce and manufactures, by their various business operations which are carried on mainly by means of credits, they are intimately connected with this system, and virtually enslaved by it. We should be asking more than our knowledge of the weakness of human nature warrants, were we to ask them in case of collision between this "credit system" and their country, to be faithful to the latter. Where a man's treasure is, there will be his heart also. Their treasure is in the "credit system," the principal seat of which is not in this country; consequently their hearts are abroad rather than at home. So long as the "credit system" is controlled by foreign nations, or in other words, so long as our country is not the first commercial nation of the world, support of the system must be incompatible with patriotism. England is at present the ruling commercial nation; she controls the "credit system" so far as it can be controlled, and consequently controls all who are dependent on it. In case of collision between this country and Great Britain during the existence of the "credit system," we must always look to see all true whigs sustaining Great Britain as its grand supporter, although her cannon should be battering down the walls of our capitol, resolving that it is unbecoming a moral and religious people to rejoice at American victories over her armies, and singing Te Deums whenever her mercenaries succeed in suppressing the democratic movements of the Old World. We must expect them to do this, for the system they have espoused will compel them to do it; and they will do it spontaneously, religiously, with the feeling that in so doing they are honoring God and serving man. Whiggism with us

is, therefore, incompatible with patriotism. The whig virtually expatriates himself, or rather forswearing the land of his birth, adopts the "credit system" as his country, makes it his home, in it erects his altar and places his household gods. When that system coincides with American principles, he is an American; when they do not, he is an Englishman, a Frenchman, a Chinaman, or one of that nation with whose interests for the time being they chance to be co-incident.

Mr. Biddle, who is not altogether destitute of patriotic feelings, had, we apprehend, a glimpse of this fact, and hence his efforts to transfer the seat of the credit system from London to Philadelphia. He probably dreamed of making the American merchants, through the Bank of the United States, all that English merchants now are through the Bank of England. This was a lofty ambition, only a single remove from the sublime. All that was wanting for its complete success was, that this country should stand first in the scale of commercial nations, a rank it unfortunately does not hold, and will not, for some considerable time to come. So long as this country is only a second or third rate commercial nation, it cannot be the principal seat of the "credit system;" so long as it retains its present position in relation to Great Britain, a Bank of the United States can only be a branch of the Bank of England. The Bank of England, as the great centre of the credit system of the world, can, at any moment it chooses, win the credit of American merchants, and crush our whole banking system, as past experience fully demonstrates. By the intricate connection which has heretofore existed between the fiscal concerns of our government and the general business of banking, we have, government, and all, been virtually under the control of Great Britain. Hence, the reason why, whenever we have demanded justice of Great Britain, we have uniformly armed our business men against our own government. The war, which we have been carrying on against the banking system for the last ten years, has been really a war for national independence, and Gen. Jackson, in warring against the bank, was fighting in the same cause in which he fought at New Orleans, and against the same

enemy. It was therefore that the people, by an unerring instinct, selected him, the hero of New Orleans, to be their chief in the new campaigns, of which they had a forefeeling.

The democratic party is the patriotic party; it is the party jealous of national honor. The whig party, composed in the main of business men, whose idea is property, not man, are insensible to national honor, when its maintenance requires the sacrifice of the facilities of trade or commerce. In their estimation, the national honor is well enough, when they are making large profits, and is endangered only when their chances of gain seem to be diminished. Hence it is, that every measure taken to maintain the honor of the nation, or to enhance its real prosperity, has been taken by the democratic party amidst the most violent, and all but treasonable hostility of the whigs. The democracy purchased Louisiana, and thus secured to trade the Mississippi, to agriculture an immense territory of unrivalled fertility, and to free institutions many millions of supporters. The democracy declared and sustained the war against Great Britain, in which we vindicated our national honor, and asserted the freedom of the seas. And during its continuance, the whig party were plotting treason with the enemy, refusing all support to the government of their country, and cutting off, as far as they could, its supplies.

The democratic party is the party of liberty. This is involved in the fact that it is the American party. The idea of this country is, we have said, the supremacy of man. This supremacy is attained only by the broadest freedom. The American idea, under another aspect, then, is that of liberty. The truly American party always rallies around the quickening idea of liberty. No man can have the hardihood to pretend that liberty is the idea the whigs are struggling to bring out.

The democratic party has always been faithful to freedom of mind and conscience, the basis of all freedom. It has always opposed every thing even approaching a religious establishment, and contended that man's intercourse with his Maker should be free and voluntary. It has opposed all test laws, and uniformly frowned upon

every effort to molest a man for his opinions. It inserted in the federal constitution the amendments which forbid Congress to establish a religion, or to pass any law prohibiting freedom of speech or of the press. It opposed the elder Adams and his party, because in their alien and sedition laws they proved themselves the enemies of free thought and free utterance; and raised Thomas Jefferson to the presidential chair, because he was the unflinching friend of freedom of mind. It has always said with Milton, "Let truth and falsehood grapple. Who ever knew truth put to the worse in free and open encounter?" Her confuting is the best and surest suppressing.

The democratic party is the Christian party. Christianity is a revelation of God's mercy to man. It is always on the side of freedom and humanity. It addresses man as endowed with the capacity to judge of himself what is or is not right. Democracy is based on the fact, that man does really possess this capacity. Christianity, by addressing itself to all men, necessarily recognizes this capacity in every man; democracy, by defending universal suffrage, does the same. Christianity values man for his simple humanity, not for his trappings, the accidents of birth, wealth, or position; so does democracy. Christianity, aside from its design to fit the individual for communion with the blest after death, seeks to introduce a new order of things on the earth, to exalt the humble, abash the proud, to establish the reign of justice, and enable every man to sit under his own vine and fig-tree, with none to molest or make afraid.

The democratic party is the party of progress. This is involved in what has already been said. A party gathers round an idea or principle, which is its life, its soul. That idea it can never abandon, and live; nor can it ever receive a new idea, without losing its identity. If left to itself, it will unfold, exhaust its idea; and having done this, it dies. Thus, English whiggism, having exhausted its original idea, having found its euthanasia, in the "Reform Bill," has gone the way of all the earth, and is suffered to lie in state still, merely because neither tories nor radicals are prepared to assume the responsi-

bility of heirs, and give it burial. The whigs in this country are demonstrating the same law. The idea around which they gather, is offensive to a majority of the American people. This the more discerning of our whig friends perceive, and, therefore, they would fain change the doctrines of the party. They have even tried to make it pass for the democratic party. Vain efforts! They may change its name, receive into its ranks many who once thought themselves republicans, and submit to be led on by men, who once enjoyed the confidence of the democracy; but nothing can change its character; its identity remains; and your Lincoln's, Selden's, Duane's, Verplank's, Talmadges, and Rives's, who generously undertake to give it a democratic aspect, can change nothing in its principles or direction, but are themselves swept away by its resistless current. The mission of the democratic party is to unfold the great idea of justice, and reduce it to practice in all man's social and political relations. It stands, therefore, not as the representative of a fraction of the race, but of the race itself, and, therefore, like the race, it is immortal. This great idea of justice the party is destined to realize. From this work it cannot withdraw itself, if it would. Its leaders may be false to it, and seek to betray it; but it leaves them by the way, and with or without new leaders, continues its march. No matter how high a rank a man may have held in its estimation, the moment he proves false to the mission of the party, he is left, though leaving him be like plucking out a right eye, or cutting off a right hand. Nothing from within can betray it, or divert it from its onward course. Many of the most active members of the whig party were once in its ranks, but it has not missed them. It is never in want of a man competent to lead on its forces, nor of an "available" candidate for its suffrages. A panic may now and then occur, and produce a momentary confusion, but it instantly recovers itself, re-establishes order, and takes up its line of march, ready to grapple with any force it may meet.

Now as the party, according to the general laws of party, must go on unfolding its idea, and as that idea is universal and all-comprehensive, we say truly, that it is the

party of progress. Justice is its idea, and this idea it must unfold, and this idea in its unfolding must reach all the reforms the friends of progress can desire. Progress is simply the better and fuller application of justice to our social and political relations. All the progress which in the very nature of things now can be, must come from the unfolding of the idea which constitutes the life and soul of the democratic party. Then as friends of progress you should support that party, and contribute what you can to help it onward in the development and application of its general principles.

Are you contending for universal education? What principle will establish a true system of universal education, but that which declares the supremacy of man over money, and recognizes man in all his integrity in every individual man? Are you the advocate of the rights of woman? How will you succeed but by appealing to the great principle of democracy, that right is paramount to might? Are you a non-resistant, a peace man? What means have you to compass your ends, but by aiding the democracy to introduce the rule of justice into all public affairs? Are you an advocate of the working-man, anxious to secure to honest industry its due reward, and to the laborer his true social position? You must do it by means of that party which struggles to raise up universal humanity, to abolish all privilege, and to place the government in the hands of MAN, instead of MONEY. Are you an abolitionist, and would you free the slave? What party puts forth general principles which in their gradual unfolding must break every unjust bond, and set every captive free? The day of emancipation is not yet. It were useless to emancipate the slave to-day, because we should be merely changing the form, not the substance, of his slavery. But the democratic party puts forth principles, which must, in the end, abolish slavery, and do it too at the very day, the very hour, when it can be done with advantage to the cause of freedom and justice. Slavery is doomed; man will not always tyrannize over man. There are causes at work which will free the slave, and free him too, with the consent and joy of his master. Let these causes work on, and do not murmur because their

full effects are not realised to-day. God doubtless could have made the world in one day, but we are told that he chose to employ six days in creating it. The seed is not sown, and the corn harvested the same day. Be sure that you have principles in operation that will effect your work, and you may retain your composure. The democratic party embraces the idea of universal freedom to universal man, and it will realise this idea, just as fast as we can urge onward the general progress of humanity, and no faster.

We have now given some of the reasons why reformers should sustain the democratic party. That party embraces the general principles of liberty, of progress, which include within them, as the oak is included in the acorn, all possible reforms. It represents to-day in this western world, entire humanity, and as such has a right to demand the hearty co-operation of every true friend of his race.

PROSPECTS OF THE DEMOCRACY.

The whig party, which we have been in the habit of regarding as the legitimate heir of the old federal party, modified merely to meet the new questions which have come up, has not been willing to rest its claims on the fact of its being the continuation of that party, but it has called itself democratic, and challenged success on the ground of being more democratic than the democratic party itself. Why has it done this, if not from the conviction that democracy is the dominant faith of the country, and that all open and avowed opposition to it must be unavailing? In doing this, has it not said that its success must be proportionate to the belief it can produce that it is the real democratic party? that to conquer, it must steal the democratic thunder, and swear that it is whig property? It is a proof that the American people are sound at the core, and that nothing is necessary to

carry any measure but to make it be seen to be a truly democratic measure.

The true democratic party always relies with a firm faith on principle. It is conscious of its own rectitude, that its cause is the cause of truth and justice; and it knows the people are with it; that the prayers of all good men, the world over, are for it; and that Heaven with all its omnipotence, stands pledged to give it success. In prosperity it is not elated; in adversity it does not despond; but ever keeps on the even tenor of its way, with a serene brow and a tranquil pulse. It confides too firmly in the power of truth and justice to ever resort to artifice for its success. Calmly, but distinctly, it proclaims its great doctrines, which are always the intuitions of the Universal Reason, and doubts not that in due time those doctrines will embody themselves in institutions, and diffuse their fragrance over the whole earth.

This true democratic party, as it presents itself to us, is the true Movement Party of the country, forming the advanced guard of the grand army of progress, now displaying its plumes throughout the civilized world, and promising not to lay down its arms till man every where is free. It is the party of Liberty, of Humanity, and as such must commend itself to every friend of his race. If it fulfil its present promises, it will realize a truly democratic society; enlist religion, art, science, literature, philosophy on its side, and prove to the world that man can be really great and good only where the people are sovereign.

In the states themselves, the party must be really and truly democratic. It must go for the whole people; against all monopolies; against all exclusive privileges; against all aristocratic measures, and in favor of equal rights; in favor of education, literature, art, and philosophy. It must plant itself on the primitive fact that all men are born essentially equal, and that there is something divine in every man. It must be ever on the side of freedom, sympathize with the oppressed, with all who are struggling for their rights. It must be high toned and moral; confiding in the people, and still more in the immortal vigor of truth and justice. Then its triumph is

certain, and will be a blessing to the country—to the world. Its success rests on the fact, that it rallies around a principle which is planted deep in the human heart, and in the triumph of which entire Humanity is interested. The masses are moved only by great and everlasting principles, which touch every individual of the race.

Parties, merely as parties, are nothing to the masses; individuals, as simple individuals, are nothing to them. Show them that this or that man embodies in himself the cause of the millions, that in raising him to office the cause of the millions is secured, and then as the representative of a cause does he become of importance. No matter how great or how worthy a man is viewed, simply as an individual, the masses will not sustain him, and ought not to sustain him, unless he represents their cause.

The contest for men is insignificant. Individuals are nothing,—causes are every thing; and the man who would stand at the head of his country, must be the impersonation of his country's cause. Parties, as such, again, are nothing,—causes every thing. Let the standard of the masses be raised, the banner of Equality be unfurled, and distinctly seen to wave over the camp of the party, and the masses shall rally around that standard, joyously enrol themselves under that banner. Let there then be no thought about men, but let the whole energy of the soul be given to causes. Seize the right cause, and doubt not the right party will gather round you, with the right man at its head. Ideas are omnipotent; bring out the true idea, it will choose its leader, and organize its party. If the democratic party, so called, adhere to the democratic idea, if it continue to show that it has in its keeping, a sacred cause, a cause dear to Humanity, and which ought to prevail, it may rest assured of complete success.

If it be asked, which of the two parties that now divide the country will succeed? we answer, truth and justice reign, and they have decreed that this shall be the land of freedom; and the party which best represents the cause of freedom will triumph. The party which best represents this cause is, in our judgment, the party which calls itself democratic. Since it has fallen back on first

principles, it has come into harmony with the mighty spirit of Freedom now agitating the world; and we doubt not its success. Through it now speaks the voice of eternal principle, which is the voice of the people; and the voice of the people is the voice of God; and when God speaks, who dare deny that he will be heard and obeyed?

WASHINGTON'S OPINION OF PAPER MONEY,

CONTAINED IN A LETTER TO T. STONE.*

Mount Vernon, February 27, 1787.

DEAR SIR,

YOUR favor of the 30th ultimo came duly to hand. To give an opinion in a cause of so much importance as that, which has warmly agitated the two branches of your legislature, and which, from the appeal that is made, is likely to create great and perhaps dangerous divisions, is rather a delicate matter; but, as this diversity of opinion is on a subject which has, I believe, occupied the minds of most men, and as my sentiments thereon have been fully and decidedly expressed long before the Assembly either of Maryland or this state was convened, I do not scruple to declare that, if I had a voice in your legislature, it would have been given decidedly against a paper emission upon the general principles of its utility as a representative, and the necessity of it as a medium.

To assign reasons for this opinion would be as unnecessary as tedious. The ground has been so often trod, that a place hardly remains untouched. In a word, the necessity arising from a want of specie is represented as greater than it really is. I contend that it is by the substance, not with the shadow of a thing, we are to be benefited. The wisdom of man, in my humble opinion, cannot at this time devise a plan by which the credit of paper money would be long supported; consequently deprecia

* Member of the Senate of Maryland.

tion keeps pace with the quantity of the emission, and articles, for which it is exchanged, rise in a greater ratio than the sinking value of the money. Wherein, then, is the farmer, the planter, the artisan benefited? The debtor may be, because, as I have observed, he gives the shadow in lieu of the substance; and, in proportion to his gain, the creditor or the body politic suffers. Whether it be a legal tender or not, it will, as has been observed very truly, leave no alternative. It must be that or nothing. An evil equally great is, the door it immediately opens for speculation, by which the least designing, and perhaps most valuable, part of the community are preyed upon by the more knowing and crafty speculators.

But, contrary to my intention and declaration, I am offering reasons in support of my opinion; reasons too, which of all others are least pleasing to the advocate for paper money. I shall therefore only observe generally, that so many people have suffered by former emissions, that, like a burnt child who dreads the fire, no person will touch it who can possibly avoid it. The natural consequence of which will be, that the specie, which remains unexported, will be instantly locked up.

With great esteem and regard, I am, dear sir, &c.

GEO. WASHINGTON

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